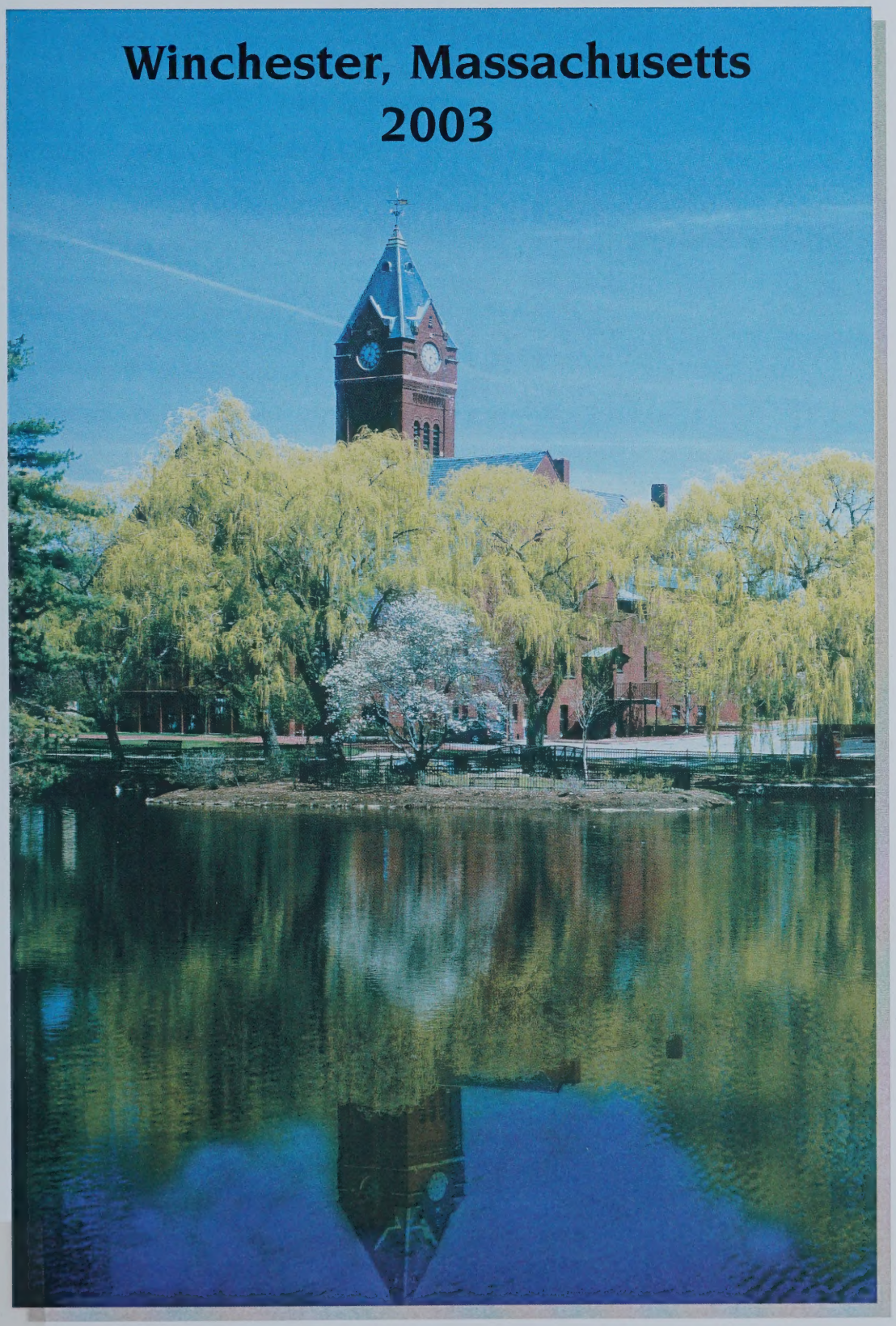
Reports of the Town Officers



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Reports of the Town Officers
Winchester, Massachusetts

2003

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In Memoriam

SANDRA (SHEPPARD) RODGERS

July 28, 1937 – March 30, 2003

Town Meeting Member	1976 - 2003
Winchester School Committee	1978 - 1984
Committee on Names	1978 - 1982
Committee on Rules	1987 - 1990
Design Review Committee	1988 - 2003
Winchester 150th Anniversary Committee	2000

Sandy Rodgers arrived in Winchester in 1962 and began an astonishing career of volunteer service and public philanthropy. When Sandy embarked upon a project, her passion, intelligence, and creativity were obvious to anyone who had the good fortune to work with her. Trained in elementary education, horticulture, and landscape design, Sandy also had passions for art, music, cooking, and cats. The Chamber of Commerce in 2002 voted her Citizen of the Year after a volunteer career with school groups, garden clubs, the Jenks Senior Center, EnKa Society, WinCAM, the Jumelage, League of Women Voters, Rotary, and Winchester Savings Bank, among others. She was a benefactor to many organizations including the Griffin Center, Hospital, the Library, the Winchester Community Music School, and the Scholarship Foundation.

She was perhaps best known for her contributions to Winchester's public spaces. She helped improve Elliott Park, Bellino Park, the Library and Town Hall landscaping, and (with the Design Review Committee) the Common, took the lead on the "plant a tree" program, and assisted the DPW on many projects including the "adopt an island" campaign to beautify traffic islands. Sandy's most remarkable project may have been the resurrection of the little island in the Mill Pond with a new bridge, seating, and landscaping. It is now known as Sandy's Island in honor of a citizen who believed in the strength and importance of community.

Town of Winchester, Massachusetts
Incorporated 1850

Population: 21,447
Land Area: 6.49 square miles
Government: Representative Town Meeting (192 Town Meeting Members), with five-member Board of Selectmen and Town Manager

FY 2003 Assessed Valuation: $4,130,472,306

FY2003 Tax Rate: Residential $11.38 Commercial $10.60

Political

Registered Voters	
Unenrolled (Independent)	6,640
Democrat	4,145
Republican	2,500
Libertarian	41
Green Party	20
Other	7
Total	13,353 as of 3/21/03

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617-565-3170
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Annual Election of Town Officers Last Tuesday of March

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Elected Town Officers

MODERATOR		TERM
John J. Sullivan	7 Wainwright Road #18	2004
BOARD OF SELECTMEN		
James A. Johnson III, Chair	126 Johnson Road	2004
Priscilla Owen McPhee	72 Woodside Road	2004
Elizabeth M. Cregger	15 Euclid Avenue	2005
Karl P. Fryzel	62 Oxford Street	2006
Charles E. Nurnberger, Vice Chair	200 Cross Street	2006
SCHOOL COMMITTEE		
Peter J. Haley	5 Wood Lane	2004
Sarah E. Swiger, Chair	14 Squanto Road	2004
Mark D. Feblowitz	41 Lebanon Street	2005
Kathleen M. Bodie, Vice Chair	5 Dix Terrace	2006
Samuel P. Kounaves	45 Sargent Road	2006
BOARD OF ASSESSORS		
George L. Andersen, Chair	38 Hutchinson Road	2004
Mark A. Lombardi	14 Ware Road	2005 Resigned12/03
Stephen L. Powers	29 Thornberry Road	2006
BOARD OF HEALTH		
David W. Heinold	19 Kenwin Road	2004
Richard Maggio, Chair	8 Spruce Street	2005
Joseph W. Costello	179 Washington Street	2006
BOARD OF LIBRARY TRUSTEES		
Leo F. Roche, Jr.	26 Sargent Road	2004
Jon French, Chair	85 Walnut Street	2004
Jennifer L. Clifford	205 Mystic Valley Parkway	2005
Denise Doherty Pappas, Vice Chair	35 Everett Avenue	2005
Kevin J. Drum	77 Lawson Road	2006
PLANNING BOARD		
Thomas R. Howley, Chair	346 Main Street	2004
Peter G. Kuttner, III	20 Central Street	2005
Stephen R. Parkhurst	50 Edward Drive	2005
W. Sam Stroud	120 Loring Avenue	2006
Maureen I. Meister, Vice Chair	38 Rangeley Road	2006

HOUSING AUTHORITY

James R. Skahan, Jr.	51 Wildwood Street	2005
Alice L. Warren	171 Swanton Street #7	2006
Robert C. Fiorenza, Chair	36 Pickering Street	2007
Elizabeth S. Ellis	14 Hillside Avenue	2008

State Appointee:

Bruce L. Dove	3 Overlook Way	2003

NORTHEAST REGIONAL VOCATIONAL SCHOOL REPRESENTATIVE

John J. Bradley	3 Cutting Street	2004

Appointed Town Officers

Town Manager	Brian F. Sullivan
Assistant Town Manager	Mark J. Twogood
Town Counsel	Wade M. Welch
Superintendent of Schools	V. James Marini
Comptroller/Workers' Compensation Director/ Veterans' Services Coordinator	Joseph W. Bonner
Town Clerk	Carolyn Ward
Treasurer/Collector	Carol A. Thomas (Retired)
Acting Treasurer/Collector	David P. McGurl
Town Engineer	Robert E. Conway
Building Commissioner	Ronald J. Haverty
Fire Chief	John F. Nash
Police Chief	Joseph N. Perritano
Library Director	Lynda Wills
Public Works Director	George J. Zambouras(Resigned)
Acting Public Works Director	Edward Grant
Recreation Director	Joseph J. Connelly
Health Director	James J. Nugent, Jr. (Retired)
Council on Aging Administrator	Ruth C. Young
Conservation Administrator	Elaine D. Vreeland
Director of Assessments	Daniel D. McGurl
Information Technology Director	Craig Rowe

BOARD OF SELECTMEN

James A. Johnson, Chair
Charles N. Nurnberger, Vice Chair
Priscilla O. McPhee
Elizabeth M. Cregger
Karl P. Fryzel

The following is a summary of the major activities for which the Board of Selectmen provided leadership, direction, and oversight during 2003.

The Board presented a comprehensive report to fall Town Meeting on flood mitigation, stormwater management, inflow and infiltration, and water quality. The Board committed to keeping these issues as top priorities; to minimizing Town dollars spent while maximizing federal and state dollars to move forward expeditiously; to a vision of renewed green spaces, protected wildlife habitats, and recreational opportunities as far as this vision enjoys community support; and to the public process and keeping the community informed of its progress. The Town entered a new agreement with the Army Corps of Engineers to study the entire length of the Aberjona River. Joseph LeMay of Environmental Protection Agency met with the Board to discuss preliminary findings of the EPA's Aberjona River study on human health risk assessment. The Board received an evaluation on Horn Pond Brook from Camp Dresser and McKee.

The Board put a Proposition 2½ override question in the amount of $800,000 on the March ballot. It failed to win voter support. The Board authorized the formation of a Budget Task Force, charged to examine current revenues and expenditures, analyze internal or external forces on them, and develop projections through fiscal 2007 taking into consideration all reasonable measures to close the gap.

While the Board favors finding new sources of revenue, it did not support the School Committee's article for a special act for a real-estate transfer tax. Though Town Meeting voted favorably on the motion, the tax can only be assessed if the General Court passes a special act authorizing it and if voters approve a ballot question.

The Town obtained special Legislation to create the two capital stabilization funds for override money voted in 2002 (and referenced in last year's report).

The Board participated in the development of the Town's Strategic Plan, scheduled for presentation to spring Town Meeting in 2004.

The Board's plan to sell 12.5 acres of land at Winning Farm for the development of elderly housing has been delayed by appeals filed against the Planning Board's approval of the definitive subdivision plans and the Zoning Board of Appeal's decision to grant a special permit to the project and by a Superior Court order that the ZBA decision be vacated and that the matter go back to the Board for a new hearing. Subsequently, the Salter Group proposed four zoning bylaw changes that would have obviated the need for a special permit. Town Meeting passed only one, a change in the definition of the IEH Overlay District to include assisted living. The same Town Meeting rejected a citizens' petition to rescind a 2002 agreement extending the purchase and sales agreement between the Town and the Salter Group to Aug. 28, 2008, an action viewed as Town Meeting's reaffirmation of the plan to sell the parcel for elderly housing.

The Board authorized the formation of a Municipal Light Committee to research the issue of a Town-owned municipal light department. It created an Energy Conservation Committee to establish a municipal energy audit system, recommend options for improving energy efficiency in Town buildings, and study and report on energy efficiency and funding opportunities.

The Board adopted a resolution to establish a Conservation Restriction Policy relating to the importance of the preservation of certain properties in private ownership through the use of conservation and preservation restrictions.

Subsequent to Town Meeting's approving that the Town petition the Legislature for authority to issue one additional all-alcohol and two beer-and-wine package store licenses, the Board approved Retail Alcoholic Beverage License Rules and Regulations. The Legislature has not yet acted on the liquor license Home Rule petition.

The Board heard a proposal from the Winchester Historical Society to lease the Sanborn and Carriage houses as a historical/cultural center and approved the concept. The School Committee returned jurisdiction over the Sanborn House (but not the Carriage House) to the Selectmen, an action ratified by fall Town Meeting.

The Board approved Rules and Regulations Governing the Winchester Recycling and Disposal Facility (Transfer Station).

The Board sponsored an article, which was passed by Town Meeting, to amend the Code of Bylaws by adding a chapter on Regulation of News Racks.

The Board approved the formation of a Teen Center Committee to evaluate possible sites, select one, and develop a financial analysis and financing plan.

The Board held several discussions with the Planning Board on the latter's proposal to hire its own planner, ultimately agreeing that the budget should allow the Planning Board and Town Manager to each hire planning consultants until such time as the differences of opinion over the planning structure are resolved. The boards plan to continue discussions about the use of consulting funds on projects of joint interest.

The Board thanks the Town Manager and his staff for their dedicated support of the Board's work plan for the year.

TOWN MANAGER

Brian F. Sullivan, Town Manager

Finances

For several years, the Town has had a structural deficit whereby the growth in costs necessary to maintain a level-service budget has outpaced the growth in revenues. The result has been a gradual erosion of services. The primary factor shaping the budget for FY 2004 is the slow State economy and declining State aid. To compensate, the Town has held positions vacant and restricted spending wherever possible. The FY 2004 budget which management presented to the Finance Committee and Town Meeting essentially held personnel level, but that level is below what it should be, particularly in the areas of public safety and public works.

While an override question placed on the ballot this year failed, the override of 2002 took some pressure off the FY 2003 budget. In particular, the override provided funding for capital improvements which allowed management to move ahead on a lot of deferred structural improvements, such as the rehabilitation of Leonard Field and roadway repair.

With the goal of reducing costs and improving services, we continued to evaluate alternative methods for delivering various services. For example, we have been looking at RFPs for privatizing cemetery maintenance.

Management participated in the selectmen's Budget Task Force which brought together members of town staff, the Board of Selectmen, School Department, School Committee, Finance Committee, and Personnel Board and brought them all to the same understanding that the numbers, the estimates and projections, are realistic. The group's report, finished in December, presents a broad fiscal picture for the town showing that it is facing a multi-million dollar deficit whose only real solutions are an override, substantial departmental cuts, or a combination of both. Components of the report include background information on town finances and factors influencing the budget, Winchester's revenue structure and enhancement opportunities; its expenses including "budget busters," operating expenses, capital, and opportunities to control costs; and options or scenarios, such as budget figures with and without revenue enhancements (like an override).

"The fact that the town's tax base is nearly all residential and the town is substantially built out severely limits the growth in this town's major revenue growth source and puts a disproportionately high tax burden on the residential property," the report states. "Consequently, while the quality of life may be greater in a bedroom community such as Winchester, it does come at a cost."

Though the report has a section on revenue enhancement opportunities which includes options other than overrides, most of them are quite limited or are not under the town's control. The second largest source of revenue for Winchester is state aid, which is

totally controlled by the Legislature and is now predicted to decrease by at least 5 percent and perhaps as much as 10 percent.

Turning to expenditures, the report identifies the "operating budget busters" as wages and "skyrocketing" group health insurance. Wages account for about $38 million of the budget. Because of wage adjustments and step and track adjustments, "overall wages increase between 4.5 percent and 5 percent. Revenues are typically increasing only 3.5 to 4 percent per year, thus wages in most years are pushing the deficit amount."

The report also looks at opportunities to control costs, yet staff cuts remain the major means to cut costs. The report states that if the total deficit ($2.2 million) were to be eliminated through town-side staff reduction, "it would mean the elimination of approximately 44 full-time positions." (The projected deficit was subsequently lowered to about $1.6 million.)

Flood Mitigation & Drainage

Aberjona River: This year has seen progress on two more of the projects recommended for the Aberjona River by Camp Dresser and McKee (CDM) and a new agreement with the Army Corps of Engineers (ACOE) for an expanded river study. With the Cross Street bridge culvert ready to go out to bid and the Mount Vernon Street bridge under design by Bayside Engineering, the Town prepared an Environmental Notification Form (ENF) as requested by the Massachusetts Environmental Protection Act (MEPA) office to evaluate the Town's Aberjona River flood-control program. The Town requested a phased approach for the environmental review of these projects, with three projects to go forward immediately. The Town received back a certificate denying the waiver and requiring an Environmental Impact Report (EIR) for the full length of the river. This put the entire project on hold until the Town could assess the situation and decide a course of action.

While the town expected to do an EIR at some point, it was not expected for Phase I. Further, this decision expanded the scope of the project significantly beyond flood control to include storm water control, water quality, watershed management, and regional planning issues. Consequently, the Town was looking At a loss of time and increase in cost. Discussions were then held among representatives of the Town, MEPA, DEP, and ACOE which brought forward more information to State officials and led to an agreement relative to the Corps' assisting the Town. Previously, the Corps determined that the channel from Bacon Street to Waterfield Road qualified for its 205 program and has been pursuing an economic study to determine if there is a feasible project to satisfy the cost/benefit ratio. The Corps also concluded that three sections of the river north of the Center might qualify for its 206 (wetlands creation) program. Then the Corps received permission from its headquarters to also do an environmental study for the entire river which would not only cover existing conditions and the local impact of the proposed improvements but also determine any negative impact on other communities. Further, part of the study will be to look at alternatives, as required by the MEPA EIR.

Another cooperative project, the replacement of a partially collapsed storm drain culvert in the vicinity of Davidson Park under the commuter rail line in order to improve drainage and lower the water levels at the park, was accomplished in October. The Town did the design and permitting and the MBTA paid for the project.

The EPA published preliminary findings on a comprehensive risk assessment of the Aberjona River. The study was divided into six river reaches with about 52 stations along the entire stretch of the river which collected surface soil and sediment specimens. The report identified two problem areas in Woburn with potential health and safety issues, Wells G and H and a former cranberry bog. When the report is final, it should include potential impacts of the remediation work in Woburn upon Winchester.

Horn Pond Brook: In October, CDM completed a Horn Pond Brook Flood Control Evaluation report for the Upper Mystic River Watershed Board. The study had two primary objectives: reducing flood risks along Horn Pond Brook and reducing the risk of overtopping Scalley Dam. The report contains recommendations for improvement but no cost estimates. The Town will be evaluating if we want to contract with CDM to do additional work relative to the study.

The replacement of the Canal Street and Sylvester Avenue bridges with new culverts went out to bid in late September. It being too close to winter, no bids were received, and the project has been put back out to bid for work to commence in the spring of 2004. The bridges, which were damaged in the flood of 2001 and have continued to deteriorate, are to be replaced with reinforced concrete, bottomless, single-box culverts four feet wider than the current structures. The Waterfield Design Group did the design.

Stormwater Management Plan: In response to an Environmental Protection Agency (EPA) mandate to meet requirements of its National Pollutant Discharge Elimination System (NPDES) Phase II stormwater regulations, the town asked CDM to develop a Stormwater Management Plan. CDM concluded that Winchester is in compliance with NPDES Phase II permit eligibility requirements, and in July the Board of Selectmen approved the plan to be forwarded to the EPA. The goals of the plan are to reduce the discharge of pollutants to the maximum extent practicable and protect water quality. The plan describes about three dozen best management practices that the town is to complete over the next five years for the following control measures: public education and outreach, public participation/involvement, illicit discharge detection and elimination, construction site runoff control, post-construction stormwater management in new development and redevelopment, and pollution prevention/good housekeeping for municipal operations.

Drainage Improvement Plan: The Town moved forward with design and analysis of several projects in the drainage improvement plan, with a view to putting about eight out to bid for spring 2004 construction. Several projects have been deferred until CDM has finished a capacity analysis of the Town's drainage system which will identify major projects that should be undertaken during FY 05-07 and estimate costs.

Sewer System Evaluation Survey: With the help of another MWRA grant, the Town has just contracted CDM to update the SSES survey done in the 1980s by Coffen & Richardson, Consulting Engineers. The study (essentially a master plan for the sewer system) is expected to take 18 months and will involve monitoring flows town-wide during wet and dry times order to check flow, capacity, and stormwater infiltration.

Buildings

Facilities Condition Assessment: The Town hired Tappé Associates to do an evaluation of existing building components and systems, with cost data, to be a planning tool which can be used to schedule capital repairs and replacements over a 10-year period. The report is to outline findings and include a spreadsheet with each item, its useful life and cost, plus columns for 20 years to show the cost under the year when work is proposed. The 20-year outlook is intended to represent a probable scenario with the understanding that it will be a working document which will be revised annually by the town to reflect priorities and needs on a year-to-year basis.

Transfer Station: Weston and Sampson was contracted to conduct a feasibility study at the transfer station, the current configuration at that facility, what will be done with the landfill site that previously existed, as well as the incinerator building that operated previously. The cost of long-term improvements has been estimated at $2 million.

Ambrose School: Construction of the new Ambrose School, designed by Tappé Associates, began when a contract was signed with Jackson Construction Co., and the contractor was given notice to proceed as of September 1. The old school was demolished this fall. The building is scheduled to be completed by December 31, 2004.

Lincoln School: The architect and contractor failing to agree on responsibility for the completion of unfinished work on the Lincoln School renovation project, management met with representatives of all interested parties to attempt a resolution. The issue of closing out the project was finally referred to Town Counsel after the contractor was put on notice that his contract might be terminated. While the amount of work remaining is small, there are a few important issues to be resolved.

School Buildings Master Plan: The future of this master plan is up in the air since assumptions about building renovation finances are subject to adequate funding from the State. For FY 2004-05 the funding appears to be frozen.

Sanborn House: This fall the Recreation Department left the Sanborn House to take up new quarters in the old Mystic School building. The Winchester Historical Society proposed to lease the Sanborn and Carriage houses and to undertake fund-raising for the complex's restoration and operation as a community cultural center, gallery, museum, and meeting place. Since the Town does not have the resources to renovate the building, the Board of Selectmen approved the idea. A warrant article to lease the building to the Society was prepared for the spring Town Meeting but was postponed pending a decision from the School Committee over its jurisdiction over the property. The School Committee decided to transfer jurisdiction of the Sanborn House to the Board of Selectmen, an action ratified by fall Town Meeting. Currently vacant, the house is to be the subject of a study by a new Sanborn Reuse Committee to be formed in early 2004.

Fields

Work continues on the five-year capital improvement plan for the rehabilitation of Winchester's play fields, funded through the Capital Stabilization Fund. Using designs by landscape architect Andrew Leonard, construction on Leonard Field began in 2003, and the field is scheduled to reopen in Fall 2004. Designs for McDonald Field by landscape architect Steven G. Cosmos have been completed and approved. Construction is to begin next summer. Mullen Playground is under design by Andrew Leonard. Parking lot construction may begin in 2004.

Streets

Phase I of the $4.1 million Massachusetts Highway Department construction project on Washington Street continued from July to December. Phase I consists of enlarging and improving the storm drain system, plus utility work on an existing underground phone conduit, gas lines, and utility pole relocations. About 70 percent of the drainage and telephone conduit has been finished. When work starts up again in the spring, the utility work is scheduled to be finished. Then Phase II, the roadway reconstruction, may begin.

Town Meeting appropriated $1 million for making repairs to private ways, to be reimbursed through assessments. The first projects to be addressed under the new betterment act are Myopia and McCall roads, scheduled for completion next year.

Planning & Studies

The Board of Selectmen and Town Meeting approved the Solid Waste Study Committee's recommendation that the Town go ahead with a nine-month contract with Wheelabrator. While other communities have chosen three- or five-year contracts, the Committee recommended the shorter contract to leave flexibility to look at other options, such as whether to retain the transfer station or have curbside pickup. The Committee has also been looking at the current fee structure and if there is any advantage to a pay-as-you-throw program.

Staff continued to work with the Strategic Planning Steering Committee to complete the town's Strategic Plan. A work plan was adopted, and subcommittees were formed to develop more detailed recommendations for the six elements of the plan. Consultants were engaged to assist with the economic-development piece and with street design and traffic calming in the transportation component.

The Town Manager's Study Committee on Local Historical Collections presented the Board of Selectmen with a report and the news that the next major steps recommended in that report have been facilitated through the receipt of a State grant. The Committee, appointed last fall, included representatives of the Winchester Historical Society, Historical Commission, Public Library, and Town Clerk, along with volunteers from the Archival Center, with a charge to report on the condition of the collections and make recommendations for their improvement. The committee developed a Collaborative for Documenting Winchester's History when the opportunity arose to apply for a grant from the Massachusetts Historical Records Advisory Board. The Collaborative has chosen a consultant to make recommendations on linking the various collections, particularly through a shared database. Grant funds are also being used to produce third-grade teaching materials on local history. Due to this grant, the Study Committee decided to conclude its own task by preparing a needs assessment, intending it to be supplemented with the recommendations coming out of the grant project, both studies to become the basis for a strategic plan based on the Study Committee's vision and goals.

The development of an official Town Web site began with the hiring of a Web designer, funded with a grant, to design the site and the assembling of information about the Town, its departments, boards and committees, ongoing projects, emergency preparedness plan, and other materials under the direction of the Town Clerk. The site is anticipated to start up in 2004. The public should then be able to consult an on-line meeting and events calendar, use a request/comment section, download forms, and get information in a manner that should save staff time.

Personnel Changes

Town Treasurer Carol Thomas, who served the Town for 30 years, retired this year. David McGurl was appointed Acting Town Treasurer. After fall Town Meeting approved eliminating the residency requirement, the position was readvertised but has not yet been filled.

DPW Director George Zambouras left to accept a position in the private sector. Ed Grant has been Acting DPW Director.

Todd Ford, director of Planning and Community Development, also resigned. Rather than funding the position for fiscal 2004, funds were allocated for a part-time planner and consultants to work with staff on the implementation of various Town projects.

In December, I was offered the position of Town Manager in Arlington. Following preparation of the FY 2005 budget, I will be leaving Winchester in February 2004. My nearly four years of service in Winchester has been very rewarding. Winchester is a wonderful community full of talented residents willing to give of their time to help better the community. The officials, department heads, and employees of the Town are exceptional public servants. I appreciated the hard work and dedication of the Board of Selectmen and its support of the Town Manager's work. I want to recognize two public officials in particular, Town Counsel Wade Welch and Town Moderator John Sullivan, who are extraordinarily knowledgeable of and dedicated to the town and who are the consummate professionals.

I would also like to thank Assistant Town Manager Mark Twogood. I was very fortunate to have Mark as a full partner in carrying out the Town Manager's Duties.Winchester is well served by Mark's professionalism, integrity, and work ethic.

Lastly I would like to thank my staff, including Patricia Tassi, Cheryl Murphy, Patti Mawn, and Jennifer Caferella. They work long hours and are totally dedicated to providing the best possible service to the residents of Winchester.

TOWN COUNSEL

Wade M. Welch

As set forth in Section 5-6 of the Home Rule Charter, the Board of Selectmen is required each year to appoint a Town Counsel who serves at the pleasure of the Board.

The Town Counsel's major duties as requested by the Board include:

- Examination of the various legal instruments to which the Town is a party.
- Providing advice to all Town agencies regarding legal questions relating to their powers and duties.
- Prosecuting and defending claims brought by or against the Town.

Major Areas of Town Counsel involvement during 2003 included:

- Legal analysis of the duties and responsibilities of the Selectmen and Planning Board for municipal planning and economic development in the context of discussions about the Town Planner position.
- Legal defense of the Planning Board and Zoning Board of Appeals in litigation resulting from subdivision, subdivision approval not required, and special permit decisions.
- Involvement with the MIS Director and Acting Town Treasurer David McGurl to format tax taking information on the MIS system. Working with McGurl, the Town commenced accelerated low value tax taking and credit balance reconciliation efforts.
- Restaurant and club liquor license and package store rules and regulations updated, Home Rule legislation for additional licenses filed.Enforcement pursued regarding Christopher Columbus Club violations. Creditor claims regarding Ciro's license successfully resolved in

Court.

- Defense of the Town in litigation, both threatened and commenced. A total of 19 pending claims in suit were resolved for a total settlement amount paid by the Town of $14,500.00. In addition, a total of 8 claims noticed but not filed were resolved for a total settlement of $490.00.

Additional Selectmen Projects during 2003

Flooding and Drainage: Major progress was made in the implementation of the selectmen's flood-mitigation program keyed on the Camp Dresser & McKee study. Town-wide drainage programs are being implemented, reviewed, and prioritized based on capacity analysis and funding available. A comprehensive report to the fall Town Meeting by the Board of Selectmen summarized the Board's efforts in this area. The contributions of Ham Hackney, Esq., Joe Tabbi, and Senator Charles Shannon deserve special mention as essential to the Board's success in these ventures.

Highways & Byways: Town Counsel assisted in the preparation of legal documents to support the Board's efforts. Major Board accomplishments include: 955 Main Street parking lot completed, Washington Street project underway, Public Works Economic Development grant application for North Main Street refiled, intersection and traffic calming studies completed.

Planning and Zoning: The Planning Board and the Board of Selectmen, after considerable discussion of their respective roles, moved forward cooperatively on issues of mutual concern including the Strategic Plan, Economic Development and Industrial Corporation, and zoning review with emphasis on the CBD and parking issues. Litigation in this area continues to increase as the Planning Board resists attempts by developers to develop marginal land with potential flooding and drainage problems.

School Renovation: Notwithstanding significant claims filed by two filed subcontractors and the General Contractor, J.D. Slotnick, Inc., the renovation and expansion of the McCall Middle School was ultimately completed within budget. Special thanks go to Bob Deering, John Miller of HMFH, Brian Sullivan, Mark Twogood, and Joe Bonner for their patience and persistence on an extremely contentious close-out phase.

As previously noted, Lincoln School's close out process has experienced certain challenges requiring significant amounts of time by Town Counsel.

Construction of the new Ambrose School commenced in the summer of 2003.

Other Litigation

The Winchester Hospital special permit litigation was resolved in favor of the Hospital, as the parties entered into a stipulation affirming the Zoning Board of Appeals' decision during the trial. As previously noted, the Town was fortunate that in both FY 2003 and calendar year 2003 no claims against the municipality resulted in significant judgments against the Town.

In December, Town Manger Brian Sullivan, who has given the professional and loyal service for nearly four years, resigned to accept the position as Town Manger in Arlington, our next door-neighbor. Brian has provided important advice and assistance to my office during his term, and he will be missed.

Also at the end of the year, Selectmen Priscilla Owen McPhee announced that she would not seek a third term. Priscilla has provided continuity of leadership essential to the success of the Selectmen's flooding and drainage program and has been an unwavering advocate of providing affordable housing opportunities in the Town.

As I complete my fifteenth year as Town Counsel, I want to thank the Town's employees, professional staff, its elected and appointed officials, and in particular Mark J. Twogood, currently Acting Town Manager, for their continuing support to myself and for their exceptional service to the Town. To serve as your Town Counsel is to share a special trust with each of you.

ASSESSORS

George L. Andersen, Chair
Mark A. Lombardi
Stephen L. Powers

The Board of Assessors had two changes on the Board

this past year. In the spring election, former Selectmen, Stephen Powers, defeated long time incumbent Eric Josephson. The Board would like to thank Eric for his service to the Town and wish him well in his future endeavors. Mark Lombardi resigned from the Board in December due to illness. Mark has been involved in Winchester government for many years including two terms as Selectmen and several terms as an Assessor.

The real estate market in 2003 was strong again with prices increasing by at least 7% due to the ever-increasing supply of willing buyers to the Winchester market. The number of sales was steady from the previous year. The inability of people to move up in the housing market reduced the number of moderate priced homes available for first time buyers. The homes selling in the upper million to three million dollar range were staying on the market longer, and there were price reductions.

The average single-family assessment in Winchester for 2003 was $618,900 with a tax rate of $11.38 for a real estate tax bill of $7,043.

New construction, additions, and renovations were on the increase due to the lack of homes available on the market. New growth, the additional tax revenue generated from new construction, amounted to $765,000. The increase was due to a change in the law and a one time, six-month extension for construction. Chapter 110, the water and sewer debt paid to the Massachusetts Water Resource Authority, increased to $3,140,463 from $3,058,384.

The Board of Assessors congratulates the office staff of Alice Alford, Regina Capone, Patricia Haverty, and Director Daniel McGurl for their dedicated service and exemplary conduct on behalf of the Town.

COMPTROLLER

Joseph W. Bonner

In accordance with the provisions of General Laws, Chapter 41, Section 61, I respectfully submit my report of the financial transactions of the Town of Winchester for the fiscal period commencing July 1, 2002 and ending on June 30, 2003 together with miscellaneous tables and statistics.

In accordance with provisions of General Laws, Chapter 41, Section 53, Sections 5-5b-6 of the Charter, accounts of various officers and agencies entrusted with the receipt, custody or expenditure of funds have been examined and reports initiated as directed by circumstances, including all trust funds. Details of financial transactions are set forth in the exhibits and schedules listed below.

I wish to express my appreciation to the various boards, officials, and employees for the cooperation and assistance that they continue to provide.

Schedule A	Combined Balance Sheet
Schedule B-1	Statement of Expenditures
Schedule B-2	General Estimated Receipts Actual vs. Budget
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Schedule D-1	Housing Fund
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Schedule E	Funded Debt
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Schedule E-2	Borrowing Capacity

Town of Winchester
Combined Balance Sheet– All Fund Types and Account Groups
June 30, 2003

ASSETS	General	Stabilization	Construction	Non major Governmental Funds	Total Governmental Funds
Cash and short-term investments	$ 8,106,686	$ 3,247,010	$ 59,129	$ 4,839,906	$ 16,249,731
Receivables, net of allowance for uncollectible amounts:					
Real estate and Personal property taxes	433,135				433,135
Real estate tax deferrals	492,786				492,786
Tax and utility liens	321,919				321,919
Motor vehicle and other excise taxes	436,715				436,715
Departmental and other	157,171			133,310	290,481
Intergovernmental	10,688,570			1,424,544	12,113,114
Due from other funds	4,387				4,387
Investment in joint venture	2,171,405				2,171,405
TOTAL ASSETS	$ 22,812,774	$ 3,247,010	$ 59,129	$ 6,394,760	$ 32,513,673
LIABILITIES AND FUND BALANCES					
LIABILITIES:					
Warrants payable	$ 890,987		$ 209,062	$ 541,837	$ 1,641,886
Accrued payroll	305,335			31,991	327,326
Tax refunds payable	195,338				195,338
Other liabilities	507,166				507,166
Abandoned property	123,144				123,144
Deferred revenue	12,376,357			1,088,351	13,464,708
Due to other funds				4,387	4,387
Accrued short-term interest	358,047				358,047
Workers' compensation claims	719,513				719,513
Short-term notes payable			13,030,000	2,585,000	15,615,000
TOTAL LIABILITIES	15,475,887		13,239,062	4,241,566	32,956,515
FUND BALANCES:					
Reserved for:					
Encumbrances and continuing appropriations	2,212,474				2,212,474
Perpetual permanent funds				1,957,811	1,957,811
Other specific purposes				624,121	624,121
Unreserved:					
Designated for subsequent yea's expenditures	1,431,068				1,431,068
Undesignated, reported in::					
General fund	1,521,940				1,521,940
Special revenue funds		3,247,010		1,865,428	5,112,438
Capital projects funds			(13,179,933)	(2,422,227)	(15,602,160)
Permanent funds				128,061	128,061
TOTAL FUND BALANCES	7,336,887	3,247,010	(13,179,933)	2,153,194	(442,842)
TOTAL LIABILITIES AND FUND BALANCES	$22,812,774	$3247,010	$59,129	$6,394,760	$32,513,673

Schedule B-1
Statements of Expenditures
FY 2003

General Government

1210	Town Manager - Administration	428,933.84
1310	Finance Committee	3,453.43
1330	Comptroller	229,436.36
1340	Assessors	226,971.58
1350	Collector/Treasurer	217,955.22
1410	Planning & Community Development	512,071.12
1540	General Services	106,450.59
1610	Town Clerk	265,768.80
Total General Government		**1,991,040.94**

Culture/Recreation

6110	Library	1,307,239.55
6211	Recreation Administration	18,500.00
6940	Archival Center	556.77
Total Cultural & Recreation		**1,326,296.32**

Health & Social Services

4610	Caretaker of Veterans' Graves	3,197.60
5110	Board of Health	160,705.98
5410	Council on Aging	179,476.42
5420	Veteran's Services	9,846.25
Total Health & Social Service		**353,226.25**

Public Safety

2110	Police Deparment	3,431,044.07
2210	Fire Department	2,772,686.43
2420	Sealer of Weights & Measures	6,957.52
2910	Auxiliary Police	2,476.00
2920	Auxiliary Fire	1,097.22
Total Public Safety		**6,214,261.24**

Public Works

4111	DPW Administration	177,729.48
4121	Maintenance	1,160,408.07
4131	Buildings	1,846,243.39
4141	Garage	284,758.12
4151	Transfer Station	306,700.04
4161	Cemetery	305,466.50
4171	Snow & Ice	353,344.71
Total Public Works		**4,434,650.31**

Education

3111	Central Office/System Services	2,268,301.90
3112	Senior High School	4,433,091.26
3113	McCall Middle School	3,537,525.78
3114	Ambrose Elementary School	1,322,019.00
3115	Lincoln Elementary School	1,769,531.01
3116	Lynch Elementary School	1,532,902.86
3117	Muraco Elementary School	1,172,596.26
3118	Vinson-Owen Elementary School1,	442,439.80
3119	Special Education	6,399,582.84
3210	Athletics	285,500.00
3610	Vocational Education	85,104.00
Total Education		**24,248,594.71**

Energy

1910	Energy	1,790,835.78

NESWC

1810	NESWC	1,525,000.00

Undistributed

1360	Audit	52,000.00
1510	Legal	277,631.75
1530	Data Processing	241,103.21
7110	Funded Debt	3,973,711.81
7120	Interest on Funded Debt	1,913,281.17
7140	Tax Abatement Interest	348.00
9110	Contributory Retirement	1,971,337.29
9120	Workers' Compensation	297,134.18
9130	Unemployment Comp Insurance	31,114.20
9140	Health Insurance	4,506,058.71
9150	Medicare Tax & Refunds	327,332.90
9160	F.I.C.A. Tax	143,578.67
9170	Non-Contributory Retirement	67,774.63
9180	Indemnification	99,964.49
9430	Reserve Fund	
9450	General Insurance	207,977.42
9460	Environmental Remediation Services	71,546.67
Total Undistributed		**14,181,895.10**

Water and Sewer

4410	General Government	203,616.00
4420	DPW Administration	144,975.00
4430	DPW Maintenance	48,885.00
4440	DPW Buildings	9,009.56
4450	DPW Sewer Operations	1,745,407.52
4460	DPW Water Operations	1,282,769.65
4470	Employee Benefits	486,756.00
4480	Funded Debt	181,711.34
4490	Insurance	20,000.00
Total Water & Sewer		**4,123,130.07**

Schedule B-2
General Estimated Receipts
Actual vs. Budget

	Actual	Estimate	excess/excess/(def)
State distribution	6,550,730	6,770,926	(220,196)
Motor and boat excise	2,930,185	2,600,000	330,185
Penalties & int	321,856	240,000	81,856
Svc charges - trash dis	1,063,252	800,000	263,252
Fees	202,203	275,000	(72,797)
Rentals	24,762	30,000	(5,238)
Cemetery	218,044	215,000	3,044
Other dept	44,472	80,000	(5,528)
Licenses & permits	796,623	800,000	(3,377)
Spec assess	10,509	8,000	2,509
Fines & forfeits	49,485	45,000	4,485
Investment income	211,614	275,000	(63,386)
Miscellaneous	222,844	50,000	172,844
Totals	12,646,579	12,158,926	487,653

Schedule B-3
Water Sewer Revenue
Actual vs. Budget

	Actual	Estimate	excess/excess/ (def)
Water & Sewer Revenue	4,590,751	4,306,353	284,398

Schedule B-4
Fiscal 2003 Tax Rate

Amount to be Raised:		
Appropriations	65,863,514.00	
State & County Assessments	529,404.00	
Allowance for Abatements & Exemptions	365,147.96	
Cherry Sheet Offsets	37,635.00	
Other	50,097.00	
		66,845,797.96
Estimated Receipts & Revenues:		
Cherry Sheet Receipts & Over Estimates	6,771,472.00	
Local Estimates	9,694,353.00	
Available Funds Approprated	1,676,596.00	
Free Cash	1,700,000.00	
Other Source	175,000.00	
		20,017,421.00
Levy to be Raised by Taxation		66,845,797.96

	Value	%	Levy
Residential - Class I	3,904,321,184	94.52%	44,431,175.07
Open Space - Class II 0	0	0.00%	0.00
Commercial Class III	166,798,422	4.04%	1,768,063.27
Industrial - Class IV	25,996,700	0.63%	275,565.02
Personal Property - Class IV	33,356,000	0.81%	353,573.60
Totals	4,130,472,306	100%	46,828,376.96
Residential Rate	11.38		
Commercial, Industrial & Personal Rate	10.60		

Exhibit C
Trust Funds
June 30, 2003

	Cemetery	Library	Endowment	General	School	Total
Beginning principal at book value	1,693,229	259,538	391,341	113,086	44,936	2,502,130
Add:						
Bequests	34,026	500	110,720	8,913		154,159
Income to principal	49,988	7,948	10,751.13	6,993	1,6670	77,347
Capital gains						
Less: Principal expended	0					0
Ending principal at book value	1,727,255	260,038	502,061	115,548	44,936	2,649,838
Ending principal at market value	2,464,158	391,777	529,979	344,717	82,172	3,812,803
Beginning income balance	215,163	45,000	6,180	147,338	17,532	431,213
Add: Income for year	49,988	7,948	10,751	6,993	1,667	77,347
Less:						
Approp for operations	(145,000)					(145,000)
Income expended	(5,519)	(20,490)		(8,271)	(2,359)	(36,639)
Ending accumulated income - at cost	114,632	32,458	16,931	146,060	16,840	331,509
Ending accumulated income - at market	736,903	131,739	27,918	229,169	37,236	1,162,964
Ending fund balances at book value	1,841,887	292,496	518,992	261,608	61,777	2,976,760
Ending fund balances at market	2,464,158	391,777	529,979	344,717	82,172	3,812,803

Exhibit C-1
Trust Funds at Book Value-Cemetery
June 30, 2003

	Cemetery	Non-expendable principal at Book 06-02	Contrib.	Non-Expendable principal at Book 06-03	Expendable income at Book 06-02	Contrib.	Investment Income	Expense	Expendable income at Book 06-03	Total Trust Fund Princ. & Income at Book 06-02	Total Trust Fund Princ. & Income at Book 06-03
9304	Boyce, EJ	1,065.35		1,065.35	5,559.00		181.09	(45.85)	5,694.24	6,624.35	6,759.59
9307	Brown, FO	9,388.55		9,388.55	59,075.00		1,878.49	(139.58)	60,813.91	68,463.55	70,202.46
9308	Budgell, EL	1,556.76		1,556.76	3,175.00		129.42	(28.91)	3,275.51	4,731.76	4,832.27
9309	Carter, MS	1,162.29		1,162.29	4,443.00		152.96	(50.82)	4,545.14	5,605.29	5,707.43
9311	Connolly, RE	1,277.46		1,277.46	428.00		46.87	0.00	474.87	1,705.46	1,752.33
9384	Connolly, R	1,261.15		1,261.15	347.00		44.19	0.00	391.19	1,608.15	1,652.34
9313	Coulter, SE	843.65		843.65	2,534.00		92.47	(16.94)	2,609.53	3,377.65	3,453.18
9316	Downs, JA	4,287.37		4,287.37	2,658.00		190.86	0.00	2,848.86	6,945.37	7,136.23
9317	Eustis, ER	1,579.79		1,579.79	67.00		35.24	(474.76)	(372.52)	1,646.79	1,207.27
9318	Fahey, FG	3,418.73		3,418.73	9,635.00		357.39	(62.79)	9,929.60	13,053.73	13,348.33
9319	Fernald, H	1,884.04		1,884.04	7,828.00		266.37	(25.41)	8,068.96	9,712.04	9,953.00
9322	Forbush, SE	477.97		477.97	28.00		13.92	0.00	41.92	505.97	519.89
9323	Green, HO	1,099.91		1,099.91	6,035.00		94.85	(57.82)	6,172.03	7,134.91	7,271.94
9324	Hawes, RE	4,425.54		4,425.54	21,551.00		711.56	(108.64)	22,153.92	25,976.54	26,579.46
9325	Hayward, EK	766.86		766.86	1,137.00		51.62	(33.88)	1,154.74	1,903.86	1,921.60
9326	Hewey, JL	1,800.54		1,800.54	53.00		42.26	(411.97)	(316.71)	1,853.54	1,483.83
9328	Howe, EW	776.46		776.46	1,269.00		54.99	(57.82)	1,266.17	2,045.46	2,042.63
9331	Johnson, HF	34,075.95		34,075.95	3,063.00		1,010.86	(462.79)	3,611.07	37,138.95	37,687.02
9334	Kendall, CE	922.35		922.35	3,519.00		120.55	(70.88)	3,568.67	4,441.35	4,491.02
9341	Marchant, VC	4,880.47		4,880.47	12,916.00		488.10	(45.12)	13,358.98	17,796.47	18,239.45
9343	Marston, JP	1,930.11		1,930.11	8,330.00		280.29	(79.73)	8,530.56	10,260.11	10,460.67
9345	Mason, CH	1,054.80		1,054.80	5,151.00		169.92	(28.91)	5,292.01	6,205.80	6,346.81
9349	Miller, HM	916.59		916.59	1,219.00		57.37	(62.79)	1,213.58	2,135.59	2,130.17
9350	Moore, AL	242.82		242.82	0.00		6.06	(28.91)	(22.85)	242.82	219.97
9352	Nash, HD	555.71		555.71	1,802.00		63.57	(57.82)	1,807.75	2,357.71	2,363.46
9355	Permanent Care	1,597,080.76	34,025.75	1,631,106.51	0.00		41,492.97	(147,658.95)	(106,165.98)	1,597,080.76	1,524,940.53
9359	Riley, ME	1,393.60		1,393.60	8,717.00		277.22	(28.91)	8,965.31	10,110.60	10,358.91
9360	Robinson, AL	854.20		854.20	2,206.00		83.50	(28.91)	2,260.59	3,060.20	3,114.79
9367	Stenquist, IC	491.41		491.41	1,122.00		42.90	(67.76)	1,097.14	1,613.14	1,588.55
9368	Stone, M	3,431.21		3,431.21	10,168.00		370.35	(159.46)	10,378.89	13,599.21	13,810.10
9369	Sweeney, HA	417.50		417.50	878.00		34.66	(45.26)	867.40	1,295.50	1,284.90
9371	Thompson, FL	116.13		116.13	0.00		2.59	(28.91)	(26.32)	116.13	89.81
9385	Tyler, CD	959.78		959.78	45.00		27.60	0.00	72.60	1,001.78	1,032.38
9373	Warren, MA	549.95		549.95	1,806.00		63.60	(53.73)	1,815.87	2,355.95	2,365.82
9374	Watson, SA	4,485.04		4,485.04	26,317.00		845.28	(57.82)	27,104.46	30,802.04	31,589.50
9380	Wright, E	1,261.15		1,261.15	332.00		43.77	0.00	375.77	1,593.15	1,636.92
9381	Young, FP	537.48		537.48	1,750.00		62.06	(37.38)	1,774.68	2,287.48	2,312.16
	TOTALS	1,693,229.43	34,025.75	1,727,255.18	215,163.00	0.00	49,987.76	(150,519.23)	114,631.53	1,908,392.43	1,841,886.71

Exhibit C-1
Trust Funds at Book Value– Library
June 30, 2003

	Library	Non-expendable principal at Book 06-02	Contrib.	Non-Expendable principal at Book 06-03	Expendable income at Book 06-02	Contrib.	Investment Income	Expense	Expendable income at Book 06-03	Total Trust Fund Princ. & Income at Book 06-02	Total Trust Fund Princ. & Income at Book 06-03
9301	Badger, DB	2,531.67		2531.67	299.00		73.74	(192.60)	180.14	2,830.67	2,711.81
9302	Barrett, GR	2,784.93		2,784.93	319.00		80.45	(229.72)	169.73	3,103.93	2,954.66
9306	Bradstreet, CW	1,435.81		1,435.81	190.00		42.00	(127.45)	104.55	1,625.81	1,540.36
9310	Coffin, AB	2,752.79		2,752.79	271.00		78.98	(195.73)	154.25	3,023.79	2,907.04
9314	Daniels, FW	690.63		690.63	161.00		20.71	(127.54)	54.17	851.63	744.80
9315	Downes, JA	53,528.40		53,528.40	6,548.00		1,615.66	(1,674.20)	6,489.46	60,076.40	60,017.86
9321	Foley, GM	1,381.26		1,381.26	298.00		40.63	(261.57)	77.06	1,679.26	1,458.32
9327	Hooper, FEW LF	2,804.42		2,804.42	323.00		80.95	(237.61)	166.34	3,127.42	2,970.76
9329	Howe, NS	1,389.05		1,389.05	237.00		40.59	(194.71)	82.88	1,626.05	1,471.93
9330	Jewett, EK	4,167.17		4,167.17	599.00		122.48	(403.37)	318.11	4,766.17	4,485.28
9332	Joy, AKP	2,776.17		2,776.17	344.00		80.12	(266.20)	157.92	3,120.17	2,934.09
9333	Joy, F	2,774.22		2,774.22	247.00		79.65	(159.57)	167.08	3,021.22	2,941.30
9335	Keyes, MC	1,597.51		1,597.51	345.00		47.10	(298.05)	94.05	1,942.51	1,691.56
9339	Linane, MGT	6,939.44		6,939.44	1,861.00		208.21	(1,594.88)	474.33	8,800.44	7,413.77
9340	Linane, M	44,968.07		44,968.07	4,435.00		1,289.54	(3,229.77)	2,494.77	49,403.07	47,462.84
9342	Marion, AB	686.74		686.74	162.00		20.70	(123.66)	59.04	848.74	745.78
9344	Mason, AM	22.560.01		22.560.01	2,278.00		649.98	(1,545.80)	1,382.18	24,838.01	23,942.19
9346	McChesney, LC	1,325.74		1,325.74	89.00		38.89	0.00	127.89	1,414.74	1,453.63
9351	Morton, BG	1,434.84		1,434.84	295.00		43.37	(198.10)	140.27	1,729.84	1,575.11
9357	Qiimby, CA	4,710.72		4,710.72	559.00		134.47	(491..37)	202.10	5,269.72	4,912.82
9358	Rich, EJ	45,946.06		45,946.06	19,108.00		1,691.67	(4,557.38)	16,242.29	65,054.06	62,188.35
9361	Rogers, B	1,389.06		1,389.06	283.00		41.15	(228.02)	96.13	1,672.06	1,485.19
9362	Schrafft, WE/BE	1,418.28		1,418.28	271.00		41.94	(212.22)	100.72	1,689.28	1,519.00
9363	Skillings, DN	708.16		708.16	67.00		21.30	0.00	88.30	775.16	796.46
9364	Smith, FE Jr	7,133.29		7,133.29	866.00		207.23	(597.16)	476.07	7,999.29	7,609.36
9365	Smith, FE Sr	6,778.72		6,778.72	694.00		194.09	(534.63)	353.46	7,472.72	7,132.18
9370	Symmes, Z	1,053.97		1,053.97	52.00		30.40	0.00	82.40	1,105.97	1,136.37
9372	Wadsworth, E	7,059.26		7,059.26	861.00		203.72	(661.23)	403.49	7,920.26	7,462.75
9375	Willis, J	21,206.31	500.00	21,706.31	2,373.00		620.27	(1,814.12)	1,179.15	23,579.31	22,885.46
9378	Winn, NR	1,418.28		1,418.28	306.00		44.50	(136.66)	213.84	1,724.28	1,632.12
9379	Wood, MC	2,186.84		2,186.84	259.00		63.08	(196.45)	125.63	2,445.84	2,312.47
	TOTALS	**259,537.82**		**260,037.82**	**45,000.00**		**7,947.56**	**(20,489.77)**	**32,457.79**	**304,537.82**	**292,495.61**

Exhibit C-1
Trust Funds at Book Value– School
June 30, 2003

	School	Non-expendable principal at Book 06-02	Contrib.	Non-Expendable principal at Book 06-03	Expendable income at Book 06-02	Contrib.	Investment Income	Expense	Expendable income at Book 06-03	Total Trust Fund Princ. & Income at Book 06-02	Total Trust Fund Princ. & Income at Book 06-03
9303	Blank, PJ	2,825.81		2,825.81	188.00		79.06	(179.00)	88.06	3,013.81	2,913.87
9305	Brackett, FG	31,483.56		31,483.56	2,094.00		880.56	(1,999.00)	975.56	33,577.56	32,459.12
9336	Lavey. L	1,964.75		1,964.75	2,415.00		118.41	(92.60)	2,440.81	4,379.75	4,405.56
9347	Metcalf, RC	2,885.75		2,885.75	7,118.00		274.91	0.00	7,392.91	110,003.75	10,278.66
9353	Nickerson, HC	2,998.98		2,998.98	4,263.00		199.32	(11.97)	4,450.35	7,261.98	7,449.33
9354	Parkhurst, WL	1,581.31		1,581.31	1,366.00		81.00	0.00	1,447.00	2,947.31	3,028.31
9354	Prince, N	1,195.98		1,195.98	88.00		33.68	(76.00)	45.68	1,283.98	1,241.66
	TOTALS	44,936.14	0.00	44,936.14	17,532.00	0.00	1,666.94	(2,358.57)	16,840.37	62,468.14	61,776.51

Exhibit C-1
Trust Funds at Book Value– General
June 30, 2003

	General	Non-expendable principal at Book 06-02	Contrib.	Non-Expendable principal at Book 06-03	Expendable income at Book 06-02	Contrib.	Investment Income	Expense	Expendable income at Book 06-03	Total Trust Fund Princ. & Income at Book 06-02	Total Trust Fund Princ. & Income at Book 06-03
9320	Fletcher, A	108,041.96	2462.50	110,504.46	136,370.00		6,594.12	(8271.00)	134,693.12	244,411.96	245,197.58
9377	Winchester, W	5,043.91		5,043.91	4,422.00		260.14	0.00	4682.14	9,465.91	9,726.05
9300	350th ann comm	0.00		0.00	96.00		2.64	0.00	98.64	96.00	98.64
	Sandra Rogers	0.00		0.00	0.00	6,450.00	136.01	0.00	6,586.01	0.00	6,586.01
	TOTALS	113,085.87	2462.50	115,548.37	140,888.00	6,450.00	6,992.91	(8271.00)	146,059.91	253,973.87	261,608.28

Exhibit C-1
Trust Funds at Book Value– Endowment
June 30, 2003

	Endowment	Non-expendable principal at Book 06-02	Contrib.	Non-Expendable principal at Book 06-03	Expendable income at Book 06-02	Contrib.	Investment Income	Expense	Expendable income at Book 06-03	Total Trust Fund Princ. & Income at Book 06-02	Total Trust Fund Princ. & Income at Book 06-03
8718	Library Endow-ment	391,341.00	110,720.29	502,061.29	6,180.00		10,751.13		16,931.13	397,521.00	518,992.42
	TOTALS	391,341.00	110,720.29	502,061.29	6,180.00	0.00	10,751.13	0.00	16,931.13	397,521.00	518,992.42
	TOTALS	**2,502,130.26**	**147,708.54**	**2,649,838.80**	**424,763.00**	**6,450.00**	**77,346.30**	**(181,638.57)**	**326,920.73**	**2,926,893.26**	**2,976,759.53**

Exhibit C-2
Trust Funds at Market Value-Cemetery
June 30, 2003

	Cemetery	Non-expendable principal at Market 06-02	Contrib.	Non-Expendable principal at Market 06-03	Expendable income at Market 06-02	Contrib.	Investment Income	Expense	Market Value Increase	Expendable income at Market 06-023
9304	Boyce, EJ	1,065.35		1,065.35	7,568.43		181.09	(45.85)	157.72	7,861.39
9307	Brown, FO	9,388.55		9,388.55	79,836.93		1,878.49	(139.58)	1,636.07	83,211.91
9308	Budgell, EL	1,556.76		1,556.76	4,609.75		129.42	(28.91)	112.72	4,822.98
9309	Carter, MS	1,162.29		1,162.29	6,142.76		152.96	(50.82)	133.22	6,378.13
9311	Connolly, RE	1,277.46		1,277.46	945.26		46.87	0.00	40.82	1,032.95
9384	Connolly, R	1,261.15		1,261.15	834.50		44.19	0.00	38.49	917.18
9313	Coulter, SE	843.65		843.65	3,558.68		92.47	(16.94)	80.54	3,714.74
9316	Downs, JA	4,287.37		4,287.37	4,764.05		190.86	0.00	166.23	5,121.14
9317	Eustis, ER	1,579.79		1,579.79	565.99		35.24	(474.76)	30.69	157.15
9318	Fahey, FG	3,418.73		3,418.73	13,593.08		357.39	(62.79)	311.27	14,198.96
9319	Fernald, H	1,884.04		1,884.04	10,773.58		266.37	(25.41)	231.99	11,246.53
9322	Forbush, SE	477.97		477.97	182.08		13.92	0.00	12.12	208.12
9323	Green, HO	1,099.91		1,099.91	8,198.41		94.85	(57.82)	169.70	8,505.14
9324	Hawes, RE	4,425.54		4,425.54	29,428.47		711.56	(108.64)	619.74	30,651.13
9325	Hayward, EK	766.86		766.86	1,714.99		51.62	(33.88)	44.96	1,777.69
9326	Hewey, JL	1,800.54		1,800.54	615.42		42.26	(411.97)	36.80	282.51
9328	Howe, EW	776.46		776.46	1,889.38		54.99	(57.82)	47.90	1,934.45
9331	Johnson, HF	34,075.95		34,075.95	14,326.24		1,010.86	(462.79)	880.41	15,754.72
9334	Kendall, CE	922.35		922.35	4,865.70		120.55	(70.88)	105.00	5,020.37
9341	Marchant, VC	4,880.47		4,880.47	18,312.37		488.10	(45.12)	425.11	19,180.46
9343	Marston, JP	1,930.11		1,930.11	11,442.01		280.29	(79.73)	244.12	11,886.69
9345	Mason, CH	1,054.80		1,054.80	7,032.30		169.92	(28.91)	147.99	7,321.30
9349	Miller, HM	916.59		916.59	1,867.02		57.37	(62.79)	49.97	1,911.57
9350	Moore, AL	242.82		242.82	73.71		6.06	(28.91)	5.28	56.14
9352	Nash, HD	555.71		555.71	2516.97		63.57	(57.82)	55.37	2,578.09
9355	Permanent Care	1,597,080.76	34,025.75	1,631,106.51	484,326.12		41,492.97	(147,658.95)	36,138.43	414,298.57
9359	Riley, ME	1,393.60		1,393.60	11,782.48		277.22	(28.91)	241.45	12,272.25
9360	Robinson, AL	854.20		854.20	3,134.73		83.50	(28.91)	72.72	3,261.73
9367	Stenquist, IC	491.41		491.41	1,610.89		42.90	(67.76)	37.36	1,623.40
9368	Stone, M	3,431.21		3,431.21	14,291.71		370.35	(159.46)	322.56	14,825.16
9369	Sweeney, HA	417.50		417.50	1,271.46		34.66	(45.26)	30.19	1,291.05
9371	Thompson, FL	116.13		116.13	35.45		2.59	(28.91)	2.25	11.37
9385	Tyler, CD	959.78		959.78	349.14		27.60	0.00	24.04	400.77
9373	Warren, MA	549.95		549.95	2,520.12		63.60	(53.73)	55.40	2,585.39
9374	Watson, SA	4,485.04		4,485.04	35,659.48		845.28	(57.82)	736.20	37,183.14
9380	Wright, E	1,261.15		1,261.15	814.81		43.77	0.00	38.13	896.71
9381	Young, FP	537.48		537.48	2,443.13		62.06	(37.38)	54.05	2,521.87
	TOTALS	1,693,229.43	34,025.75	1,727,255.18	793,897.33	0.00	49,987.76	(150,519.23)	43,537.00	736,902.86

Exhibit C-2
Trust Funds at Market Value– Library
June 30, 2003

	Library	Non-expendable principal at Market 06-02	Contrib.	Non-Expendable principal at Market 06-03	Expendable income at Market 06-02	Contrib.	Investment Income	Expense	Market Value Increase	Expendable income at Market 06/03
9301	Badger, DB	2,531.67		2531.67	1,157.95		73.74	(192.60)	64.22	1,103.31
9302	Barrett, GR	2,784.93		2,784.93	1,260.01		80.45	(229.72)	70.07	1,180.81
9306	Bradstreet, CW	1,435.81		1,435.81	683.41		42.00	(127.45)	36.58	634.54
9310	Coffin, AB	2,752.79		2,752.79	1,188.57		78.98	(195.73)	68.79	1,140.61
9314	Daniels, FW	690.63		690.63	418.92		20.71	(127.54)	18.03	330.12
9315	Downes, JA	53,528.40		53,528.40	24,767.16		1,615.66	(1,674.20)	1,407.16	26,115.78
9321	Foley, GM	1,381.26		1,381.26	807.09		40.63	(261.57)	35.39	621.54
9327	Hooper, FEW LF	2,804.42		2,804.42	1,271.99		80.95	(237.61)	70.50	1,185.83
9329	Howe, NS	1,389.05		1,389.05	730.55		40.59	(194.71)	35.35	611.78
9330	Jewett, EK	4,167.17		4,167.17	2,044.68		122.48	(403.37)	106.67	1,870.46
9332	Joy, AKP	2,776.17		2,776.17	1,289.66		80.12	(266.20)	69.78	1,173.37
9333	Joy, F	2,774.22		2,774.22	1,162.55		79.65	(159.57)	69.37	1,152.00
9335	Keyes, MC	1,597.51		1,597.51	934.16		47.10	(298.05)	41.02	724.23
9339	Linane, MGT	6,939.44		6,939.44	4,529.48		208.21	(1,594.88)	181.34	3,324.15
9340	Linane, M	44,968.07		44,968.07	19,417.39		1,289.54	(3,229.77)	1,123.13	18,600.29
9342	Marion, AB	686.74		686.74	418.75		20.70	(123.66)	18.03	333.83
9344	Mason, AM	22.560.01		22.560.01	9,810.80		649.98	(1,545.80)	566.11	9,481.09
9346	McChesney, LC	1,325.74		1,325.74	518.58		38.89	0.00	33.87	591.34
9351	Morton, BG	1,434.84		1,434.84	820.14		43.37	(198.10)	37.77	703.19
9357	Qiimby, CA	4,710.72		4,710.72	2,157.62		134.47	(491..37)	117.11	1,917.84
9358	Rich, EJ	45,946.06		45,946.06	38,837.66		1,691.67	(4,557.38)	1,473.37	37,445.32
9361	Rogers, B	1,389.06		1,389.06	790.65		41.15	(228.02)	35.84	639.62
9362	Schrafft, WE/BE	1,418.28		1,418.28	782.77		41.94	(212.22)	36.53	649.01
9363	Skillings, DN	708.16		708.16	302.06		21.30	0.00	18.55	341.92
9364	Smith, FE Jr	7,133.29		7,133.29	3,291.54		207.23	(597.16)	180.49	3,082.10
9365	Smith, FE Sr	6,778.72		6,778.72	2,960.38		194.09	(534.63)	169.04	2,788.88
9370	Symmes, Z	1,053.97		1,053.97	387.77		30.40	0.00	26.48	444.65
9372	Wadsworth, E	7,059.26		7,059.26	3,263.17		203.72	(661.23)	177.43	2,983.09
9375	Willis, J	21,206.31	500.00	21,706.31	9,523.58		620.27	(1,814.12)	540.22	8,869.96
9378	Winn, NR	1,418.28		1,418.28	828.89		44.50	(136.66)	38.76	775.49
9379	Wood, MC	2,186.84		2,186.84	1,001.31		63.08	(196.45)	54.94	922.89
	TOTALS	**259,537.82**	**500.00**	**260,037.82**	**137,359.26**		**7,947.56**	**(20,489.77)**	**6,921.95**	**131,739.00**

Exhibit C-2
Trust Funds at Market Value– School
June 30, 2003

	School	Non-expendable principal at Book 06-02	Contrib.	Non-Expendable principal at Book 06-03	Expendable income at Book 06-02	Contrib.	Investment Income	Expense	Market Value Increase	Expendable income at Market 06-03
9303	Blank, PJ	2,825.81		2,825.81	1,102.45		79.06	(179.00)	66.86	1,071.361
9305	Brackett, FG	31,483.56		31,483.56	12,275.45		880.56	(1,999.00)	766.93	11,923.95
9336	Lavey. L	1,964.75		1,964.75	3,743.20		118.41	(92.60)	103.13	3,873.13
9347	Metcalf, RC	2,885.75		2,885.75	10,151.86		274.91	0.00	239.44	10,666.21
9353	Nickerson, HC	2,998.98		2,998.98	6,465.75		199.32	(11.97)	173.60	6,826.70
9354	Parkhurst, WL	1,581.31		1,581.31	2,260.06		81.00	0.00	70.55	2,411.60
9354	Prince, N	1,195.98		1,195.98	477.17		33.68	(76.00)	29.33	464.18
	TOTALS	44,936.14	0.00	44,936.14	36,475.93	0.00	1,666.94	(2,358.57)	1,451.83	37,236.13

Exhibit C-2
Trust Funds at Market Value– General
June 30, 2003

	General	Non-expendable principal at Book 06-02	Contrib.	Non-Expendable principal at Book 06-03	Expendable income at Book 06-02	Contrib.	Investment Income	Expense	Market Value Increase	Expendable income at Market 06-03
9320	Fletcher, A	108,041.96	2462.50	110,504.46	210,488.04		6,594.12	(8271.00)	5,743.17	214,554.34
9377	Winchester, W	5,043.91		5,043.91	7,292.94		260.14	0.00	226.57	7,779.64
9300	350th ann comm	0.00		0.00	125.24		2.64	0.00	2.30	130.19
	Sandra Rogers	0.00		0.00	0.00	6,450.00	136.01	0.00	118.46	6,704.46
	TOTALS	113,085.87	2462.50	115,548.37	217,906.23	6,450.00	6,992.91	(8271.00)	6,090.50	229,168.63

Exhibit C-2
Trust Funds at Market Value– Endowment
June 30, 2003

	Endowment	Non-expendable principal at Book 06-02	Contrib.	Non-Expendable principal at Book 06-03	Expendable income at Book 06-02	Contrib.	Investment Income	Expense	Market Value Increase	Expendable income at Market 06-03
8718	Library Endow-ment	391,341.00	110,720.29	502,061.29	7,803.00		10,751.13		9,363.73	27,917.85
	TOTALS	391,341.00	110,720.29	502,061.29	7,803.00	0.00	10,751.13	0.00	9,363.73	27,917.85
	TOTALS	**2,502,130.26**	**147,708.54**	**2,649,838.80**	**1,193,441.74**	**6,450.00**	**77,346.30**	**(181,638.57)**	**67,365.00**	**1,162,964.47**

Exhibit D
Conservation Fund
June 30, 2003

Balance June 30,2002		14,218
Add: Income for year	359	
Less: Expenditures	(1,000)	(641)
Balance June 30, 2003		13,577

Exhibit D-1
Housing Fund
June 30, 2003

Balance June 30,2002		17,450
Add: Income for year	660	
Less: Expenditures	(1,000)	(340)
Balance June 30, 2003		17,110

Exhibit D-2
Stabilization
June 30, 2003

Stabilization– Building Renovations

Balance June 30,2002		1,656,053
Add: appropriated to stabilization	0	
appropriated from stabilization	291,000	
Income for year	31,957	322,957
Balance June 30, 2003		1,979,010

Stabilization– Capital Improvements

Balance June 30,2002		0
Add: appropriated to stabilization	1,850,000	
Balance June 30, 2003		1,850,000

Balance June 30,2002		0
Add: appropriated to stabilization	800,000	
appropriated from stabilization	800,000	0
Balance June 30, 2003		0

Exhibit E
Funded Debt
June 30, 2003

Inside debt limit:	21,746,356
Outside debt limit:	10,833,227
Total	32,579,583

Exhibit E-1
Changes in Funded Debt
June 30, 2003

Funded debt, June 30, 2002	34,525,843
Additions, FY 03	5,500,000
Payments, FY 03	(7,446,260)
Total	32,579,583

Exhibit E-2
Borrowing Capacity
June 30, 2003

Total Value	3,972,708,800
Statutory Limit	5%
5% of Valuation	198,635,440
Debt Outstanding– inside limit	21,746,356
Available Borrowing Capacity	176,889,084

RETIREMENT BOARD

Joseph W. Bonner, Chair
William P. Duran, Jr
George F. Morrisey
William H. O'Neil
Anthony W. Ryan

Winchester Contributory Retirement System

Balance Sheet December 31, 2002

Cash & Short-term Investments	4,527,690
Fixed-income Securities (at book)	17,669,154
Equities (at market)	27,036,686
Accrued Interest	191,168
Accounts Receivable	2,663
Total	**49,427,361**
Annuity Savings Fund	11,974,361
Annuity Reserve fund	4,624,104
Military Service Fund	716
Pension Fund	6,776,946
Expense Fund	0
Accounts Payable	0
Pension Reserve Fund	26,051,540
Total	**49,427,361**

Number of active members in the system at December 31, 2002 383

Number of retirees/beneficiaries/inactives at December 31, 2002 321

Annually, the Commonwealth of Massachusetts Public Employee Retirement Administration Commission (PERAC) notifies the Board of the pension appropriation required for the ensuing year and also projects future requirements. Following are the PERAC- projected amounts for the years FY 2002 through FY 2006:

FY	Projection	% Change from prior year
2002	2,106,000	
2003	2,127,000	1.0%
2004	2,147,000	0.9%
2005	2,168,000	1.0%
2006	2,189,000	1.0%

TREASURER/COLLECTOR

David P. McGurl, Treasurer/ Collector

Submitted herewith is the report of the Treasurer/ Collector for the fiscal year ending June 30, 2003.

Cash in Treasury June 30, 2002	$ 4,615,788.98
Cash receipts July 1, 2002 to June 30, 2003	104,417,791.95
	$ 109,033,580.93
Payments	107,169,961.83
Cash in Treasury June 30, 2003	$ 1,863,619.10
Revenue Investments	$ 4,250,429.06
Law Enforcements Trust	31,434.22
Water Bond Issue	3,372,049.24
Winchester Housing	46,604.16
Non-Revenue	25,092.14
Conservation	25,331.75
Stabilization	3,245,810.25
Meurling Account	42,060.26
Chadwick Account	38,320.42
Recreation	181,866.80
Flood Insurance	216,202.34
School Bonds	2,040,078.58
Capital Projects	1,246,926.97
Taxation Fund	3,804.63
	$ 14,766,010.82

Real Estate
07/01/2002– 06/30/2003

	Balance 6/30/2002	Warrant by Assessor	Abatements & Adjustments	41-A Abatements	Tax Title Sub. T.T.	Paid Treasurer	Balance 6/30/2003
84/85	(37,779.76)	-	-	-	-	-	(37,779.76)
85/86	(43,619.25)	-	-	-	-	(10,691.57)	(32,927.68)
86/87	(41,559.57)	-	484.08	-	-	(14,937.76)	(27,105.89)
87/88	(29,206.87)	-	-	-	-	(8,124.05)	(21,082.82)
88/89	(16,211.67)	-	-	-	-	(2,954.17)	(13,257.50)
89/90	(21,800.42)	-	-	-	-	(4,048.12)	(17,752.30)
90/91	(41,602.89)	-	-	-	-	(10,844.85)	(30,758.04)
91/92	(28,855.75)	-	-	-	-	(11,321.22)	(17,534.53)
92/93	(15,067.81)	-	(1,670.79)	-	-	(2,086.24)	(11,310.78)
93/94	(24,207.00)	-	(1,327.80)	-	-	(8,293.71)	(14,585.49)
94/95	(28,701.56)	-	(8,997.74)	-	-	(9,811.10)	(9,892.72)
95/96	(16,248.81)	-	(561.33)	-	-	(1,511.09)	(14,176.39)
96/97	(4,546.69)	-	(1,224.13)	-	-	(3834.80)	512.24
97/98	(10,753.54)	-	-	-	-	(6,199.57)	(4,553.97)
98/99	(1,878.54)	-	-	-	-	(1,256.07)	(622.47)
99/00	(2,179.09)	-	-	-	-	(971.14)	(1,207.95)
00/01	132,125.00	-	4,747.99	-	37,410.72	88,115.28	1,851.01
01/02	436,288.19	-	53,062.97	-	-	309,191.20	74,034.02
02/03	(61,232.74)	46,476,927.56	217,594.10	95,196.75	-	45,509,694.35	593,209.62

Personal Property
07/01/2002– 06/30/2003

	Balance 6/30/2002	Warrant by Assessor	Abatements & Adjustments	41-A Abatements	Tax Title Sub. T.T.	Paid Treasurer	Balance 6/30/2003
85/86	4,386.10	-	-	-	-	-	4,386.10
86/87	3,934.60	-	-	-	-	-	3,934.60
87/88	2,781.83	-	-	-	-	-	2,781.83
88/89	2,446.65	-	-	-	-	-	2,446.65
89/90	1,804.89	-	-	-	-	-	1,804.89
90/91	3,111.26	-	-	-	-	-	3,111.26
91/92	3,600.53	-	-	-	-	-	3,600.53
92/93	1,268.09	-	-	-	-	-	1,268.09
93/94	2,607.75	-	-	-	-	-	2,607.75
94/95	2,435.20	-	-	-	-	-	2,435.20
95/96	5,341.01	-	-	-	-	-	5,341.01
96/97	2,708.08	-	-	-	-	-	2,708.08
97/98	2,862.27	-	-	-	-	-	2,862.27
98/99	1,267.46	-	-	-	-	-	1,267.46
99/00	1,534.04	-	-	-	-	-	1,534.04
00/01	1,248.30	-	-	-	-	-	1,248.30
01/02	14,858.41	-	-	-	-	13,216.35	1,642.06
02/03	(45.86)	354,159.13	2,264.74	-	-	336,661.10	15,187.43

Motor Vehicle Excise
07/01/2002-06/30/2003

	Balance 6/30/2002	Warrants by Assessor	Abated by Assessor	Paid Treasurer	Balance 6/30/2003
1973	7,992.50	-	-	-	7,992.50
1974	8,305.81	-	-	-	8,305.81
1975	20,583.79	-	-	-	20,583.79
1976	17,574.70	-	-	-	17,574.70
1977	18,213.26	-	-	-	18,213.26
1978	16,287.90	-	-	-	16,287.90
1979	23,452.01	-	-	-	23,452.01
1980	22,310.05	-	-	-	22,310.05
1981	6,899.38	-	-	-	6,899.38
1982	8,579.81	-	-	-	8,579.81
1983	10,149.24	-	-	-	10,149.24
1984	10,523.60	-	-	-	10,523.60
1985	9,067.78	-	-	115.00	8,952.78
1986	15,111.14	-	-	267.07	14,844.07
1987	17,857.41	-	-	176.25	17,681.16
1988	18,287.67	-	-	126.88	18,160.79
1989	26,301.34	-	-	76.25	26,225.09
1990	15,605.35	-	-	-	15,605.35
1991	13,842.02	-	722.28	-	13,119.74
1992	11,367.39	-	3,255.06	-	8,112.33
1993	11,357.63	-	1,627.41	89.70	9,640.52
1994	9,737.39	-	699.80	-	9,037.59
1995	7,234.80	-	375.39	282.37	6,577.04
1996	3,710.49	-	904.11	197.70	2,608.68
1997	55.56	-	1,605.13	160.53	(1,710.10)
1998	3,986.72	-	586.20	434.05	2,966.47
1999	3,933.64	41.25	982.85	340.36	2,651.68
2000	7,443.30	42.50	901.83	2,113.92	4,470.05
2001	31,727.21	20,921.89	3,348.34	32,426.86	16,873.90
2002	99,774.55	589,664.68	55,498.91	578,563.47	55,376.85
2003		2,492,081.52	15,321.74	2,283,168.49	193,591.29

Collector Commitments
07/01/2002-06/30/2003

	Balance 6/30/2002	Additional Commitments	Water/Sewer Liens	Abatements & Adjustments	Payments	Balance 6/30/2003
Ambulance	127,979.80	381,192.70	-	116,113.66	269,049.09	124,009.75
Highways & Bridges	23,689.41	26,962.00	-	-	17,490.26	33,161.15
All Extra Duty	49,210.50	584,606.14	-	(4,734.23)	505,240.51	133,310.36
Parking Tickets	-	103,225.00	-	-	103,225.00	-
Water Repairs	9,400.14	365.00	-	-	485.00	9,280.14
Haulers	-	264,194.44	-	-	264,194.44	-
Water Rates	443,648.68	4,691,031.00	100,204.51	347,050.88	4,147,700.22	539,724.07
Boats	-	-	-	-	-	-

Betterments and Liens
07/01/2002-06/30/2003

	Balance 6/30/2002	Warrants by Assessor	Apportioned	Tax Title Sub. T.T.	Paid Treasurer	Balance 6/30/2003
Betterments Added to Taxes						
Street	-	281.68	-	-	281.68	-
Sewer	1,505.00	4,062.00	-	-	5,567.63	(0.63)
Sidewalk	-	-	-	-	-	-
Committed Interest	639.63	3,317.70	-	-	3,957.33	-
Other Liens						
Water/Sewer	25,245.36	120,800.91	-	598.41	114,940.42	30,507.44
Betterments Paid in Advance						
Street	-	-	-	-	-	-
Sewer	-	-	-	-	-	-
Sidewalk	-	-	-	-	-	-

Interest and Other Income
07/01/2002-06/30/2003

	Balance 6/30/2002	Warrants by Assessor	Abated by Assessor	Paid Treasurer	Balance 6/30/2003
Interest Collected on Taxes				159,696.62	
Interest on Assessments				-	
Municipal Lien Certificates				111,250.34	
Costs (Fees and Fines)				29,315.77	

COMMISSIONERS OF TRUST FUNDS

Joseph J. Christian
Robert B. McIntosh
Michael B. Elefante

The Comptroller's report includes a detailed breakdown of the trust funds for the Town. The trust funds consist of the funds supporting the Cemetery, Library, Schools and the Town generally.

As the Comptroller's report indicates, the total cost basis of the funds as of June 30, 2003 was $2,976,760. As of the same date, the market value of the funds was $3,812,803 compared with $3,695,572 at June 30, 2002.

The income for the fiscal year ending June 30, 2003 was $77,347 compared with $127,217 in the prior year.

PLANNING BOARD

Thomas R. Howley, Chair
Maureen I. Meister, Vice Chair
Peter G. Kuttner III, Secretary
Stephen R. Parkhurst
W. Sam Stroud

The first part of the year was primarily devoted to the question of the Town Planner, which arose after the resignation of Todd Ford, the Director of Planning and Community Development. Recognizing the need for professional staff assistance, the Planning Board, as an elected agency of the town, proposed a budget that would allow the board to hire a town planner, as contemplated by the Town Charter. Much time was spent in endeavors such as drafting the job description, obtaining a legal opinion from Town Counsel, who opined that under the statutes a Planning Board has the authority to hire staff, and meeting with all the requisite boards and committees. In the end, Town Meeting voted not to create or fund the new position but did vote to appropriate funds for planning consultants for both the Planning Board and the Town Manager.

After much debate, the Planning Board decided that its FY 2005 budget request should be used to advance a very focused agenda of critical planning issues and to use those accomplishments as a foundation for the renewal of our request for a full-time planner in FY 2006. We reached this conclusion having in mind that the Town Manager's office is in transition, that during the next fiscal year carefully targeted professional consulting services can help the Planning Board begin the renewal of the Town's 50-year-old Master Plan, advance important elements of the Strategic Plan, and realize new opportunities for collaboration with the Board of Selectmen, Town Manager, and other boards.

The Planning Board presented two articles to the Spring Town Meeting, both of which passed. The first relaxes the parking requirements in the newly created Village Center Overlay District, which should help enhance economic development in the district. The second recodified the Floodplain District, bringing it into conformance with State and FEMA requirements, providing control over development in the district

and also assuring that property owners within it would continue to qualify for flood insurance.

The warrant article to place the utilities on north Main Street underground was indefinitely postponed.

The Planning Board did not sponsor any zoning articles for the Fall Town Meeting but did hold public hearings on, and took positions on, the four zoning articles presented by the proposed developer of Winning Farm as an apparent response to the litigation which has stalled the project. We supported the article to include Assisted Living in the definition of Elderly Housing, the only article which passed. The proposals to change the frontage requirement in the Town-owned IEH zone and to rezone the frontage parcel on Thornberry Road from Residential to SCI did not pass, despite Planning Board support. The final article, to eliminate the need for site plan approval for the parcel, was indefinitely postponed and did not have our support.

The Board rendered advisory opinions on 42 Board of Appeal petitions, a new high. Most of them were to grant permission for additions to smaller homes, a more attractive option for many homeowners than seeking a larger home. The most significant case was the application to expand the Mount Vernon House, which we supported and the ZBA approved.

As mentioned last year, we continue to see more Approval Not Required (ANR) plans. The ANR process, which is unique to Massachusetts, allows developers in certain circumstances to avoid the local subdivision regulation and review process, effectively denying the Town any opportunity to affect the outcome. Examples of recent ANRs that had significant impacts include a teardown that created two buildable lots and a case in which an existing house was moved to create two building lots on the same property. We would support legislation to curb ANRs and/or provide for local regulation of their use.

Reflecting the fact that Winchester is substantially built out, we did not have one application for subdivision approval in 2003. However, we did work with the Town Engineer to expedite the completion of subdivisions approved in prior years. In the past, during Winchester's growth years, the Board's primary emphasis was on the approval of new Now, subdivisions. redevelopment and all that that implies, it is incumbent on us to plan for the future of Winchester and to enhance, preserve, and protect our architectural heritage

The Board devoted the major portion of its time to longer range planning concerns, which we believe will have a long-term effect on the Town's future as an attractive place to work and live. Chairman Howley was our representative to the Strategic Planning Steering Committee. Eventually, when the Committee issues its report, it will be the Board's responsibility to translate it into a Master Plan for the Town. Working with the Historical and Conservation Commissions and the Design Review Committee, we have concentrated on the Distinctive Landscaping, Architectural Heritage, and Economic Development segments of the Strategic Plan, with assistance from consultants.

As this planning process evolves, our attention will be devoted next to revision of our Subdivision Rules and Regulations, preservation planning, recodification of the Zoning Bylaw, revision of our Site Plan Review rules and regulations, control over mansionization, and the development of design guidelines for the commercial/retail districts, all of which we discussed this year in considerable detail.

Other planning issues commanded our attention as well, since there are planning ramifications to many other projects under way in town. These include (but were not necessarily limited to) review of the plans for the Mount Vernon Street Bridge; involvement in the forthcoming Army Corps of Engineers flood-mitigation studies; the site plan and design of the new Ambrose School; plans for the reuse of the Sanborn House; review of the draft report for Open Space and Recreation; review of the plans for the reconstruction of Leonard, McDonald, and Mullen fields; and plans for the future development of the Hamilton Farm and the Purcell properties, the largest two remaining undeveloped parcels of land in Winchester.

We note with sadness the passing of Sandra Rodgers, a good friend and one of our appointees to the Design Review Committee, well known for contributing in many ways to make Winchester a better community.

BUILDING DEPARTMENT

Ronald J. Haverty
Building Commissioner/Zoning Enforcement Officer

I submit herewith the following report of the Building Department for the year 2003. The total estimated cost of building for which permits were issued was $50,333,151.00.

1 New apartment building-15 units	$ 2,200,000.00
1 New condominium-four buildings-18 units	4,200,000.00
1 New elementary school	10,000,000.00
1 New two family dwelling	350,000.00
23 New single family dwellings	8,160,000.00
9 New garages	361,610.00
Convert two family dwelling into single family dwelling	100,000.00
11 Signs	22,711.00
6 Swimming pools	144,500.00
1 Foundation for modular classroom	20,000.00
158 Additions to dwellings	13,196,027.00
2 Additions to commercial buildings	140,000.00
277 Alterations to dwellings	8,251,801.00
9 Alterations to commercial buildings	989,000.00
7 Demolitions/single family dwellings	61,000.00
2 Demolitions/two family dwellings	25,000.00
2 Demolitions/garages	4,025.00
1 Demolition/school	70,000.00
10 Foundations for addition to dwellings	126,000.00
2 Foundations for garages	15,000.00
84 Roofing	1,153,698.00
16 Siding	199,963.00
1 Retaining wall	12,000.00
19 Sheds	36,571.00
2 Temporary tents	16,500.00
4 Woodburning/pellet stoves	10,000.00
34 Window replacements	295,495.00
7 Fences	61,250.00
1 repair wall	1,000.00
1 House relocation	50,000.00
1 Foundation for apartment building	60,000.00
	50,333,151.00

The following fees were collected by the Building Department for the year 2003.

Certificates Issued

For the construction of or alterations to buildings and structures	$ 575,927.52
Occupancy Permits	1,295.00
Board of Appeal Fees	2,350.00
Building Inspection Certificates	445.00
Certificates of Zoning Compliance	765.00
Electrical Permits	62,030.00
Plumbing Permits	36,245.00
Gas Permits	18,942.50
	$ 698,000.02

Certificates Issued

Building Inspections	20
Occupancy	37
Zoning Compliance	79

Permits Issued

Building	703
Electrical	683
Gas	393
Plumbing	495
Board of Appeal Cases	43

I wish to thank the staff for their dedication and support throughout the year, John A. Wile, Building Inspector; Denis Slater, Wiring Inspector; Donald Byrne, Plumbing and Gas Inspector; and Janine Viarella, Administrative Secretary. I also wish to thank all of the other Town departments and boards for their assistance during the past year.

ENGINEERING DEPARTMENT

Robert Conway, PE
Town Engineer

The Engineering Department consists of Robert Conway, PE, Town Engineer, Frank Iebba, PE, RLS,

Assistant Town Engineer, Sean Broderick, Jr., Engineer, and Joan Murphy, Administrative Secretary.

The major accomplishments for the year 2003 were:

- Completing the hydro-raking project at Winter Pond,
- Installation of the MBTA/Davidson Park drain culvert,
- Survey and soil sampling of the US Army Corps of Engineers Aberjona River Flood Study, and
- Installation of the pedestrian light on Main Street.

This office is continuing its work on the development of the Geographic Information System (GIS). The Computer system has recently been enlarged by a server dedicated for the GIS and will provide the capacity and speed necessary to operate the system. This office now has the base plan for the town with assessor parcels identified. Our fragmented water, sewer and drainage plans are being scanned and added to the system. After that is complete, private utilities, electric, gas and telecommunications will be added. Future endeavors include the addition of voter precincts, school districts, and open space plans.

This office chairs the Traffic Advisory Committee. Many hours were devoted to the Mass Highway proposed improvement to the intersections of Cambridge and Pond Street, Cambridge and Church/ High Street, Cambridge Street and Everett Avenue/ Myopia Road, and the local intersection of Church, Bacon, and Fletcher streets. The Town is at a crossroad in time with these intersections. The 75% drawings have been produced, and once the Town has responded, 100% construction drawings and specifications will be produced. The project is expected to be advertised for bid in May of 2004. This office intends to continue to work cooperatively with Mass Highway for the development of plans and specifications, which incorporate public safety while preserving the Town's residential character.

The Washington Street Reconstruction Project commenced in earnest in 2003. The first phase of the project includes the installation of a new storm drain network; the second phase of the project will be the complete reconstruction of the roadway This office will continue to monitor this project in order to minimize traffic detours and disruptions, yet provide the most efficient construction possible.

Next year is going to be a busy year for this office with the following slated:

- Continued assistance to the US Army Corps of Engineers,
- Continued reconstruction of Washington Street,
- Permitting, awarding and construction services of the Cross Street Flood Relief Culvert,
- Awarding and construction of the Arlington Street storm drain improvements,
- Awarding and construction services for the installation of the Wickham Road storm drain improvements,
- Permitting, awarding and construction services for the installation of the Town Way to Bacon Street storm drain improvements,
- Permitting, awarding and construction services for the installation of the Sylvester Avenue and Canal Street bridge replacements,
- Permitting and construction for the reconstruction of Myopia Road and McCall Road under the recently passed safety and betterment article,
- Continued rehabilitation of Leonard Field,
- Rehabilitation of McDonald Field, and
- Initiation of the design for the Tri-Community Greenway/Bikeway.

This office would like to take this opportunity to thank all the residents, town department officials and elected officials for their support and help over the last year.

CONSERVATION COMMISSION

Erin Graham, Co-Chair
Bill McLeod, Co-Chair
Louise Ahearn
George Diller
Reed Pugh
David Cregger
Barbara Landau

During 2003, the Conservation Commission implemented and enforced Massachusetts General Law Chapter 131, section 40, (The Wetlands Protection Act), and the Winchester Wetlands Bylaw. The Commission held public hearings on Requests for

Determinations of Applicability and Notices of Intent, and issued Orders of Conditions (Permits), Extension Permits and Certificates of Compliance.

Projects for the year included: the annual Aberjona River Cleanup Day, which has expanded to conservation areas; our tree planting program; the volunteer land steward's program, providing basic maintenance to conservation areas; resolving litigation which will enable a new trail system to be constructed at the Ledges; educational outreach at Town Day; working with town boards for long range planning to preserve open space; and beginning the writing of a new Open Space and Recreation Plan.

In addition, the Commission participated in water quality work for the Aberjona River, Wedge Pond, Big and Little Winter Ponds, and the Upper Mystic Lake. It provided comments for the Floodplain District Bylaw and state review of the Aberjona River flood-control project. The Commission permitted flood-mitigation projects at Cross Street, Canal Street, and Sylvester Avenue. It also reviewed and permitted site remediation work at Winning Farm.

SCHOOL DEPARTMENT AND SCHOOL COMMITTEE

Sarah E. Swiger, Chair
Kathleen M. Bodie, Vice Chair
Peter J. Haley
Mark D. Feblowitz
Samuel P. Kounaves

Superintendent of Schools
Dr. V. James Marini

The Winchester Public Schools continues its commitment to educate all students in the best environment possible. In difficult financial times, the pressure to do more with less presents a constant challenge in all aspects of our school system from leadership, administration, and curriculum to teachers, the learning environment, and community relations. By maintaining our focus on the education that happens between students and teachers in the classroom, Winchester's public school system continues to be a regional leader.

Strategic Planning

Throughout the year, the school department continued its work to update the Winchester Public Schools Strategic Plan, which will provide the foundation for education in Winchester for years to come. Under the direction of a Steering Committee of administration, faculty, community, School Committee, and student representatives, the planning process has generated unprecedented dialogue about education issues generally and about education issues specific to Winchester. In the Fall of 2003, the Steering Committee focused its efforts on outreach by holding a series of conversations with administrators, faculty, and staff at all schools and with high school students. The community was invited to attend a "Community Conversation on Education," which was held in early December 2002 and included almost 150 participants. Working with the input from all of these conversations, the Steering Committee began in early 2003 to draft the plan, which defines six fundamental elements of the Winchester school system and offers a series of objectives and recommended actions for improvement. Following a second round of outreach conversations in the fall of 2003, the committee has been working to finalize the draft with plans to release it in the spring of 2004 with implementation to begin with the 2004-2005 school year.

Annual Leadership Retreat

A generous grant from the Winchester Foundation for Educational Excellence allowed the Winchester Public Schools to hold its first Leadership Retreat in August. This day and a half of professional, off-site retreat for the Leadership Team (Administration, Central Office Staff, Principals and Vice Principals of all schools) was a unique opportunity for the Winchester Public School Leadership Team to collaborate on system-wide goals and to renew commitments to innovative educational leadership by participating in presentations and workshops on leadership and critical issues facing the system.

New Principals

High School Principal Susan Morse resigned from her position in early 2003. While the entire education community, and high school community in particular, continue to miss her presence and stewardship, the school department is pleased to report that two search and interview processes led to the addition of a new high school principal and vice principal to our team.

Tom Gwin, the new principal, came to Winchester from Newton North High School where he was a former science teacher and the Director of the Science Department. Deeply committed to students and to a spirit of continuous learning and improvement, Gwin has already brought new energy and initiatives to the high school. Susan Mochrie, the new assistant principal, joins the Winchester Public Schools from North Middlesex Regional High School where she was an assistant principal. Like Gwin, Mochrie is dedicated to Winchester's students and is particularly interested in helping to foster strong relationships between students and teachers in the system.

Following a full search process in the spring, Lisa McManus was selected as the permanent principal of the Ambrose School beginning the 2003-2004 school year. McManus served as the interim principal during the 2002-2003 school year and brought a great deal of enthusiasm and energy to the job. The Ambrose community and the greater to be housed together at the Parkhurst School. While this solution required the installation of two portable classrooms at the Parkhurst site, it also freed the Mystic School for use by the Recreation Department and accommodated Lincoln School's enrollment overflow. The EFPBC and the DPW oversaw and completed this installation, along with a variety of other projects at Parkhurst during the spring and summer. Thanks to the hard work of the Ambrose faculty, staff, and the parent community, the move into the Parkhurst School proceeded smoothly in June, and a very excited student body attended an August Open House, by which time the Parkhurst School and the Ambrose faculty and staff were ready for the school year.

Contract with Winchester Education Association
The Winchester School Committee, School Department, and Winchester Education Association worked together to successfully negotiate a three-year (2003-2006) contract between the Town of Winchester and the Winchester Education Association. This contract reflects the town's economic situation by slowing the average rate of salary growth from the prior two contracts. Changes were made to allow better budget development for column moves, and a cap was placed on the district's exposure for tuition reimbursement.

Professional Development
The district developed a five-year plan for professional development, the Skillful Teacher, that focuses on guided reading and literacy, differentiated instruction of students, technology competencies, and courses that increase the skills necessary for successful teaching.

Student and Teacher Achievement
Winchester students tied for first in the state on the Massachusetts Comprehensive Assessment System (MCAS). Our students continued to excel in academics, participating in the national history competition and in a Shakespearean Festival in New York City, and receiving recognitions in art and music. Student athletes won state championships, and a number of student athletes were recognized on league and state all-star teams.

Winchester teachers and administrators were recognized as educational leaders by beingpresenters at state and national education conferences and serving in their professional organizations. They also acted as mentors to new staff members and taught professional development programs to fellow staff and faculty.

MCCALL MIDDLE SCHOOL

Evander French, Jr., Principal

Despite the fact that student enrollments continued to grow in 2003 (from 856 students in school year 2002-2003 to 872 students in 2003-2004), McCall Middle School faced some difficult budget cuts due to the failure of a Proposition 2 ½ override in March. These reductions included $75,000 in supplies and equipment, and 1.15 in teaching staff i.e., 60 Physical/ Health Education Teacher, .40 Grade 6 Foreign Language Teacher, and a .15 Art Teacher. Thanks to the efforts of the McCall Middle School Parents Association, a Faculty "Wish List" spearheaded by two McCall parents, and a generous grant from the John and Mary Murphy Foundation, the impact of the cuts was reduced.

With the support of Superintendent Marini and the leadership of the Winchester Education Association, for the first time since becoming a middle school in the 1990-1991 school year, we were able to offer

parent conferences in Grades 6, 7, and 8 on Early Release Days, March 19, 20, and 21. In previous years, this opportunity had been available only to 6th grade parents and guardians. The feedback about this process from parents and staff was very positive, and for the 2003-2004 school year, we will offer the conferences in both November and March for all three grades.

Thanks to the efforts of the McCall Faculty and the curriculum Directors and Coordinators to align our courses and teaching strategies with the State Curriculum Frameworks, we are pleased to report that McCall's Spring 2003 MCAS scores in English, Math and Science & Technology continue to improve, and that our overall school system average placed us number one in the State along with the Wellesley Public Schools in the yearly *Boston Globe* report.

Additional highlights at McCall during 2003 included a moving Dr. Martin Luther King, Jr. Assembly on January 17th involving the entire McCall community along with students and staff from Agape Christian Academy and from the Boston Renaissance Charter School; lively, well attended Winter and Spring Choral and Instrumental Concerts; once-a-month Friday night Dances (Youth Center open as well); two very successful class bus trips: Grade 8 to Washington, D.C., from March 10-14, and Grade 7 to New York City on June 5-6; the first annual McCall Middle School Student-Faculty Talent Show on March 26, the end-of-the-year events for our 8th Graders: Trip to Canobie Lake Park on June 18; Graduation and Celebration Dance on June 19; and the Winchester Senior Cooperative Theater performance of the musical, *How To Succeed In Business Without Really Trying*, November 20-23.

In concluding this report, we want to recognize McCall Custodian Tom Nolan for his thirty-eight years of service to the Winchester Public Schools on the occasion of his retirement at the end of June. A special retirement party was held in his honor. We will miss his always supportive, caring nature! Thanks, Tom, for your conscientious service. Enjoy your retirement years!

WINCHESTER HIGH SCHOOL

Thomas Gwin, Principal

During the 2003-04 school year, Winchester High School has been serving 940 students, up from 814 in the 1998-99 school year, with 1,005 projected for the 2004-05 school year. The ethnic and racial composition of the student body includes approximately .2% American Indian/Alaskan, 2.5% Black, 6.5% Asian, 1.8 % Hispanic, and 88.8% White.

Courses in the core curriculum areas of English, Math, Social Studies, and Science have been aligned with the Massachusetts Curriculum Frameworks. AP courses are available in English, History, Math, Science, and Foreign Languages. Humanities is an interdisciplinary course that integrates history, art, music, and the Literature of Western Civilization and is offered to seniors. The average class size is 22, but over 50 classes have 25 or more students. Lower-level classes tend to be smaller. The current student/ guidance ratio is 230:1, a very high ratio in comparison to similar high schools.

Graduation depends on fulfillment of course credit requirements. In order to graduate students must earn a total of 110 credits, including specific minimum course requirements. They must also pass the state mandated MCAS test. In addition to the MCAS tests, 97% of graduating seniors took the SATI and SATII exams in 2003. The mean scores for graduating seniors taking the SATI were 574 verbal and 589 math. In 2003, 153 students took A.P. exams; there were 3 National Merit Scholar Semi-Finalists, and 16 were commended. Approximately 85% of graduating seniors go to four-year colleges, 4% to two-year colleges, 3% to other post-secondary programs, and 3.2% go directly to work. In 2003, 99.5% of eligible students graduated.

While WHS students are achieving at high levels, there are issues and challenges that face the high school. These include:

- Attracting qualified teachers with a competitive pay scale/workload
- Replacing outdated textbooks and educational materials
- Addressing numerous building and equipment deficiencies
- Providing updated technology for student and faculty use
- Providing adequate maintenance and custodial services

- Examining current instructional methodologies and creative scheduling
- Providing for department planning time and teacher mentoring
- Reducing the student/guidance counselor ratio.

The staff at the high school has been preparing for an accreditation visit from a visiting team from the New England Association of School and Colleges (NEASC) that will take place in March. The staff has completed the required school self-study in the following standards areas: mission and expectations, curriculum, teaching and learning standards, assessment, instruction, support standards, leadership and organization, school resources for learning, and community resources for learning. The high school faculty and administration look forward to the final report from NEASC which will serve as a guide for improvement as Winchester High moves ahead in the 21st century.

Class of 2003

Kristen Mary Alford
Nora Gamal Ali
Ryan Miller Anderson
* Laura Puma Anglin
Joseph Michael Annese
Katherine Alice Armstrong
Georges Tony Asfour
Steven Christopher Attardo
Kristina Diane Axon
* William Bradford Bailey
Jonathan Scott Bandi
* Elizabeth Ann Bench
Emily Ruth Berg
David Francis Biladeau
Nathaniel Steven Bishop
Jonathan William Blackham
* Caitlin Boyd Blodget
Jessica Bloom
* Kara Lillian Boodakian
Courtney Marie Brander
Meghan Marie Breen
Luke Anthony Breuer
Jennifer Elizabeth Bristol
Christopher James Burke
* Brendan John Butler
John Paul Cabral
Cynthia Paige Campobasso
Gillian B. Canavan
* Lauren Marie Capraro-Gentuso
Thomas Michael Carr
Andrew Bryan Carroll
Alexandra Mary Cerutti
Aron Thomas Chacko
Ian Christopher Champion
Maksim Chernets
Mario Joseph Chiuccariello
Jeeheon Cho
Philip Antonio Ciampa
Ariel Clark
Danielle Alison Colby
Jessica Leigh Colton
Paul Connolly
Kara Elizabeth Conway
Ashley Anne Cooper
Peter William Corbett
* Kathryn Alana Cosgrove
William MacIver Crabtree
Kiera Ann Culhane
Christopher George Cunningham
Caitlin O'Toole Davis
Susan Lenore DeAmato
William Johnston DeLaney
* Thomas James DeMasi
Jennifer Elizabeth DeStefano
Peter James DiBlasi
Peter Leonard DiFonzo
Laura Beth DiFuria
* Kaitlyn Hayes Dillon
* Caroline Silva Doctor
Trevor Gardner Doe
* Elisa Marie Donnelly
Brendan Michael Donovan
Suzan Mohamed El-Rayess
Daniel James Fiorenza
Devon William Fitzgerald
* Alexis Marie Fleckenstein
Sara Elizabeth Fleming
David Martin Foley
Leith Timothy Foley
Sarah Bryant French
John Michael Galeno
Corinne Katherine Gallagher
* Matthew Edward Gallagher
Matthew Barritt Garvey
Heather Lyn Gates
John Francis Geannaris
Kimberly Ling Gee

Alfred Charles Gigli
Stefanie Louise Gird
Tammie Marie Glacken
Marcy Rebecca Gordon
Daniel James Greelish
* Sarah Rowland Grenzeback
Nicholas Robert Grobe
Victoria Ashley Guido
* Edward Clark Hammond
Robin Emerson Harvey
* Monica Mahon Hayden
Zachary Charles Held
John William Henry
Amanda Lorraine Hill
Hillary Suzanne Holland
Stephen Nelson Homsey
Gregory Curtis Huber
Ashley Sherman Hudson
* Colette Devaney Irving
Emilie Jessica Irving
Nicholas Iuliano
Serene M. Jabary
Alison Patricia Julian
Sang Wook Kang
Natasha Kayulu
John Patrick Keady
Sarah Maria Kearsey
Elise Marie Keller
* Brian John Francis Kelly
Aine Kennedy
Robyn Ashley Kennedy
Thomas Michael Kennedy
Kristin-Alexis Dominique Kennefick
Charles Bradley Khuen
Daewoong Kim
John Kim
Michael Christopher Kinton
Ksenia Kordonsky
* Amanda Jean Kraemer
Sunil Kishor Lalaji
Julian Chun-Ning Lam
Kristen Ann Laramie
Stephen Joseph Lattanzi
* Emily Jean Leathers
* Eric Lee
Laraine Lennon
* Nicholas Charles Leonard
Licong Liu
Benjamin Thomas Logsdon
Christopher Brian Lynch
Molly Katherine Lynch
Kevin Michael Lyons
* Sarah Elizabeth MacArthur
Douglas Johnson MacAuley
* Sarah Elizabeth MacCaughey
Meghan O'Connor Mahon
Anthony Carmine Martignetti
* Joseph Philip Martin
Joseph Michael Martini
Christopher Joseph Masi
Matthew Elias Massery
Joseph James McGrath
* Brianna Kathleen McKenna
Scott Edward McLean
Krystle Virginia McNutt
Samuel Leonard Mencher
* Eric Kevin Meunier
Katherine Sommers Molloy
Jaclyn Ann Moranian
Molly Francis Moriarty
John Patrick Morin
Lila Elizabeth Murphy
* Ashwin Rajendar Murthy
Talene Alexandra Nargozian
Alice Emily Neels
Jacqueline Yolanda Nolan
Ann-Marie Elizabeth Nurnberger
* Cha-Ling Catherine O'Connell
Meghan Anne O'Shea
Renee Marie Ockerbloom
Eric Clayton Oliver
Shannon Elizabeth Oliver
Marisa Anne Pace
Brett Andreas Pahigiannis
Joseph Thomas Palasek
Kimberly Ann Palumbo
Joseph Guy Panniello
* Jason Bryce Parkhill
Jessica Kristen Penny
Diana Katherine Peretti
Ryan Joseph Pickering
Dennis Robert Ponte
Alexander Michael Popp III
* Caitlin Powers
Joseph Donovan Provenzano
Katherine Ann Quine
Joseph John Rabbitt
Robert Reynolds Rae III
James Rockwell Randall
Chip J. Rizzo

* Carly Dolan Robinson
Harrison George Roby
Emma Rady Rogers
Marianne Rotondi
Geovanni Alberto Santos
Patrick William Scanlon
Robert Michael Schleicher
Rebecca Hall Schoenherr
Michael Edward Shea
Caitlin Kuhar Sheehan
Ryan Christopher Sheridan
Heather Marie Shosho
Beth Bird Silvestrini
Michael David Simmer
Deven Lee Smith
Benjamin Elliot Snyder
Nicholas Gabriel Soughley
Jason Kenneth Spang
Andrew James Spieler
Allison Julie Sreter
Arielle Cinderella Stott
Paul James Sullivan
Craig Michael Swan
* David Lindsey Swanson
* McCosh Thayer
* Leigh Curtis Tinmouth
Gabriel Paul Torres
Lorey Tourtellot
Nicole Marie Trakimas
Raiff Taranday Tsapatsaris
* Tara Jean Tully
Emma Marion Tummon
Luke O'Connor Tuomenoksa
Jeffrey Ewell Vanderkruik
* Rachel Constance Vanderkruik
* David Hua Wang
Alyssa Claire Washington
Stephen Andrew Waterbury
Amy Wild
Alexandra Jennifer Wilson
George Washington Wood
* Jay Lupfung Young
Alexander Michael Zani

* **National Honor Society**

NORTHEAST METROPOLITAN REGIONAL VOCATIONAL HIGH SCHOOL

John J. Bradley, Jr., Winchester Representative
Northeast School Committee

At the Northeast Metropolitan Regional Vocational High School, Winchester had nine enrollments join the student body. This is a 0.821% increase over last year. Winchester is the lowest contributor to the Regional High School enrollment. The fiscal dollars show the town's budget to be $85,104.00 dollars to the school for the year 2003. My feeling is that the dollars are going into the school, but there are few students from Winchester taking advantage of the opportunities the school has to offer.

Northeast offered varied programs in Academics and Vocational. It has an Honor and Vocational Society. The school inducts every year between 10 to 15 students from sophomores to seniors. The VICA Society runs a state competition every year. This year Colleen Callahan from Winchester finished third in Culinary Arts. This was the Skills USA VICA Awards.

Northeast always supports and has a Summer Program for student enrichment, giving the students an opportunity to improve their skills before coming into the fall. More than 337 students attend the Summer Program in 2003. Winchester dollars makes this possible too, and yet how many of our students use the summer program? I feel that the Summer Program should be in every school budget for those students who need extra improvement in their skills. If need be, Winchester should let students know that the school system has an option to a summer program at the Northeast Metropolitan Regional Vocational High School.

Northeast is the Number One apprentice training center in New England. It guides hundreds of students into a vocational trade every year. Also, more students are going on to higher education from the vocational school. The school has more than 70 students going onto accredited colleges every year. A total of $356,000 in scholarships was given out this year, the average award being $4,100 dollars.

72% went to students furthering their education in two- and four-year colleges.

This year Northeast students going into the vocational field filed for and garnered 28% of the scholarship assistance to enable them to start their trades by purchasing necessary tools of the trade. Winchester dollars help these students realize a career in a vocational trade.

In this year's enrollment, nine students started the year in 2003, but a portion transferred back into the Winchester Public School System. There were at least 4 sophomores who decided to transfer into Winchester High School. Unfortunately, in November 2003, we lost one of our students through an accident, Anthony Fernandez, 16, who started at the Northeast Metropolitan Regional Vocational School in 2002 as a freshman and transferred back into Winchester in October, 2003, as a sophomore.

Our population in the vocational school enrollment is declining every year. Problems arise with not knowing what other options there are besides high school and college. Some students who are having difficulty in academics should be aware that vocational schools are there and do give other options and ways to further educational needs with varied support systems. Vocational schools offer programs that high schools do not have the budget for. With their operating budgets, vocational schools have enrichment programs, summer programs, and MCAS enrichment programs. They have programs through the guidance offices that give support through specialized workshops and counseling whether individual or group. Professional Development focuses on improving achievements in special needs.

I feel more publicity should be given in the Middle School years (about eighth grade) to show these students that the schools are there and point out to them that there are other options for them. If Northeast does not have the courses that a student is interested in, there are other schools that might. This should also be looked into for the student to have a choice. Vocational Schools give these students who are underachievers other alternatives for educational success. There are many varied paths to be taken to achieve a college education for those who find it difficult through traditional methods of education.

As the Northeast Metropolitan Regional Vocational School celebrates its 33rd year of vocational school excellence to the twelve communities that help support the school with enrollment and finances, its aim is always to maintain a high level of performance and to continue to offer the latest in vocational/ technical and academics. This high level of performance also encompasses continuing improvement in academic achievement with regard to MCAS. Northeast has a passing rate of 97% with the MCAS test. Its MCAS enrichment program classes give the students the understanding of the test and support they need. It continually updates the curriculum to offer the best and to improve the utmost in technical and vocational in order to offer their students top quality in their educational needs.

I am proud to be an alumnus of the school, as well as the Winchester representative of the school. I am proud to serve as a guardian of the school and a guardian of the funds which Winchester has allocated to this educational institute. I also love the assistance I give to the school and to my community to provide help and counsel to the school and help maintain the highest standard of the educational excellence.

TRUSTEES OF THE WINCHESTER PUBLIC LIBRARY

Jon French, Chair
Denise Pappas, Vice-Chair
Jennifer Clifford
Kevin J. Drum
Leo F. Roche, Jr.

In these difficult financial times, the Library still has many wonderful things going for it: the building, the collection, and most importantly, its people. Despite the tremendous growth in circulation, reference questions, and foot traffic, without a comparable increase in staffing levels, staff morale has remained high, and our patrons have been understanding.

Given the fiscal climate, despite the increases in the services our Library provides, the Trustees did not ask for any additional funds at Town Meeting. FY 2004 brought another level-service budget. Town funding for our book budget is 35% below the State minimum standard for the second year. The Trustees are

concerned that, in the long run, continued budgetary under funding will lead to a deterioration in the quality of our collection.

The Friends of the Winchester Public Library, through their fundraising efforts and the generosity of our community, have been able to provide service enhancements that the Library budget does not allow. Under the direction of Rosemary Sullivan, the Friends provide the funds for museum passes, staff development, A-V materials, and children's programs.

The Winchester Public Library Endowment Fund, under the chairmanship of Lane McGovern, has completed its third year in existence. It has been successful through his efforts and those of his able committee. In November, the Endowment Fund held its second annual party that was a very successful wine tasting event. The party was organized by the Trustees, Friends of the Library and staff.

The enthusiastic support of the people of the Town of Winchester for the Library is evidenced by its ever-growing use. We thank them for their support.

LIBRARY DIRECTOR

Lynda Wills, Director

The Minuteman Library Network's conversion to a new vendor and its Web-based software platform impacted every department and every staff member this year. In the months prior to the conversion in July, the staff cleaned up the database, made hardware changes, and went for training to use the new system. In the end, the conversion was made with minimal disruption to patron services. Patrons are pleased with the accessibility of the new system.

Outreach is an important goal of the Trustees' long range plan. This year we secured two grants through the John and Mary Murphy Foundation for educational programming. Assistant Director, Barbara Yuan, led our *Winchester Reads*, town-wide reading project in cooperation with library staff, school librarians, and community groups. We also celebrated the *Year of the Poet* with programs, workshops, speakers, and a poetry slam. Library staff member and Webmaster, Marie Ariel, worked with all Library departments to create a new Website. We were very proud when the Massachusetts Library Association PR Committee selected our site, *winpublib.org* as the #1 library Website in Massachusetts.

Credit for the extraordinary growth in usage must go to the staff members who strive everyday to deliver excellent library services. We are very fortunate to work in a community that values education and the role of a free public library. Trustees, Friends, patrons, donors, and volunteers combined with a superb staff make this one of the best public libraries in the state.

Children's Services: Yvonne Coleman, Department Head

Programming continued to bring in readers of all ages with sing-alongs for the very young and storytelling, themed workshops, and book discussion groups for the older children. The Summer Reading Program, "Lights, Camera, Read!" focused on filmmaking, and especially on children's books converted to movies. Outreach to the schools included visits to each school during poetry month in April, visits to and from pre-schools, and a 30% increase in the use of Teacher Packs. Patron demand for audiovisual materials has resulted in new CDs, DVDs, and recorded books for children.

Circulation Department: Karen Brown, Department Head

The staff circulated 467,733 items (an increase of 34% since 2000), and library visits rose to 286,403 (an increase of 25% since 2000). The staff has absorbed these increases through strenuous effort and a reinvention of the way we conduct business. Such extraordinary growth without increased staffing is not sustainable. In an effort to reduce the rate of growth, our standard loan period of two weeks was increased to three beginning in July. The Express collection – supported by the Friends of the Library – was introduced as a new browsing service made up of additional copies of fiction and nonfiction bestsellers.

Information and Community Services: Julie Kinchla, Department Head

As a result of the conversion to the new system, the staff used much of the Internet class time and individual time with patrons to demonstrate the features of the new catalog. Interlibrary loans

increased dramatically with a 68% increase in the number of items borrowed from Minuteman libraries and a 47% increase in the number of items lent to other Minuteman libraries. The introduction of a time-management system for the Internet computers freed the librarians to devote their time to professional reference services.

Technical Services: Geraldine Pothier, Department Head

This department is responsible for ordering and preparing new materials and maintaining an accurate database of the Library's collection. It is also responsible for the routine maintenance of staff and public computers. The staff added 13,089 new items and withdrew 10,561 items. Nancy Goodwin retired in early 2003, and Geraldine Pothier was appointed as the new head of the department.

Volunteers: Barbara Yuan, Assistant Director

One of the Assistant Director's many responsibilities is the very successful volunteer program. Thirty-four volunteers gave 2,095 hours of their time as they shelved books, filed, read shelves, mended, delivered books to shut-ins, and shared their love of reading with seniors through the *Reach Out, Read* program. These volunteers perform vital services that would otherwise require staff time, or given our staffing constraints, not be performed at all.

Library Staff

Barbara Yuan, Assistant Director; Yvonne Coleman, Julie Kinchla, Geraldine Pothier, Karen Brown, Department Heads; Stephanie Wolflink, Ellen Warwick, Elaine LeGendre, Mary Wiellette, Marie Ariel, Janet Nelson, Lisa Hill, librarians; Marilyn Goldthwait, Naomi Ferguson, administrative secretaries; David Strugnell, Sarah Thompson, Elena Khalandovsky, Charles Gillis, clerical support staff; Judith Andriesse, Deitra Barnes, Rosanne Barrow, Linda Bohan, Joanne Brady, Patricia Cura, Mary Giglio, Judith Holland, Leslie Anne Kennedy, Dorothea Lam, Mary Beth McAteer-Margolis, Mary Sherburne, Jason Soohoo, Virginia White, library aides; Anthony Amico, Lori Benedict, Sarah Huntington, Loan Marotta-Pham, Elaine Murphy, Laura Reboul, Ida Rozhitskaya, senior pages; Jack Ramsey, Francis Beckett, John Coyne, Stephen DeMaio, Charles Mullen, custodians.

Circulation	2002	2003
Adult Books	138,944	141,207
Children's Books	160,870	142,817
Magazines	9,643	8,481
Videos	92,037	97,629
Audio tapes	21,131	31,557
CD's	18,639	19,969
CD Roms	5,388	19,781
Museum Passes	1,400	3,659
DVD's	17,201	1,416
Miscellaneous	3,721	1,217
Total	**468,974**	**467,733**

	Holdings end 2002	Items added	Items Withdrawn	Holdings end 2003
Adult				
Fiction	21,777	3,603	3,3830	21,550
Non-fiction	41,633	3,119	1,308	43,444
Reference	4,287	611	204	4,694
Miscellaneous	600	391	157	834
Total Print	**68,297**	**7,724**	**5,499**	**70,522**
Total Audiovisual	9,051	2,221	1,029	10,243
Miscellaneous	36	-	2	34
Total Adult	**77,384**	**9,945**	**6,530**	**80,799**
Juvenile				
Fiction	19,380	1,844	2,416	18,808
Non-fiction	17,598	1,833	1,689	17,742
Reference	660	74	117	617
Magazines	24	-	7	17
Total Print	**37,662**	**3,751**	**4,229**	**37,184**
Total Audiovisual	3,241	749	606	3,384
Total Juvenile	**40,903**	**4,500**	**4,835**	**40,568**

Use of Library Services

	2002	2003
Reference Questions		
In Person	45,692	45,162
Telephone	10,108	9,967
Children's	8,228	8,557
Internet Use		
Reference Floor	25,376	26,702
Children's Room	2,401	1,996
Instructional Attendance	156	102
Teacher Packs	177	230
Reserves and ILLs Borrowed	23,686	24,326
Items Loaned to Other Libraries	12,364	17,872
Program Attendance		
Children's Programs	10,296	9,994
Adult Programs	1,619	1,470

RECREATION & COMMUNITY EDUCATION DEPARTMENT

Joseph J. Connelly
Director of Recreation

Winchester Recreation and Community Education enjoyed a very busy year that included moving to our new home at 263 Main Street, the old Mystic School. Our new facility gives our department the opportunity to offer many new and exciting programs and expand on existing programs. Winchester Recreation and Community Education held an open house in September to allow residents to visit and see the newly renovated facility.

Our new facility will assist us in reaching our goal to offer a wide variety of courses at affordable prices. We strive to provide leisure activities for all ages and abilities. In addition, the department provided support services to the school department, community youth sports organizations, organized groups that provided social and cultural activities and Town agencies providing related leisure and community services.

Winchester Recreation and Community Education provided leisure and recreational opportunities to thousands of participants in 2003. The Department had 9,841 courses taken in 2003 compared to 11,139 courses taken in 2002 and 11,845 course taken in 2001. In comparing enrollment since July 1, our department had 3,569 courses taken compared to 3,809 courses taken during the same time frame in 2002. A majority of the decrease may be attributed to the unstable economy during the early half of this year.

Our department made the commitment to become a 100% self-supporting department and has initiated a number of new programs and fundraisers to help us accomplish this goal.

Staffing in the Winchester Recreation and Community Education Department remained stable with Joseph Connelly, Director; Chris Nelson, Program Coordinator; Rebecca Levine, Youth Coordinator; Mary Johnson, Community Ed. Coordinator, Annette Kennedy, Pre-school Director; Carole Tourtollotte, Administrative Assistant; Pat Winn, Secretary; Janice Govostes, Principal Clerk.

Recreation and Community Education

Over 1,000 programs and different sections were offered to Winchester residents in 2003. Program such as sports, crafts, science, music, and arts were offered to pre-school through high-school-age students. Enrichment programs and specialized sport camps were among the fastest growing segments of the Recreation Department. Some of the new programs offered in 2003 included: Tot Karate, Mom's Hour, Animal Adventures, Golf Lessons, Gymnastics, Computer Camps, All Sports, Football, Theater, Woodworking, Ceramics and a Ski program to Waterville Valley.

Community Education

In cooperation with Winchester's Public Schools, the Recreation & Community Education Department plans and administers the Community Education program, which offered residents over 400 different programs in 2003. These self-supporting offerings strive to meet the evolving needs and interests of the residents of Winchester. Programs continue to be offered at the High School utilizing the art, computer, and consumer science labs. The move to our new location has alleviated some of the scheduling difficulties of programs that require large open space. Next summer Community Education will be offering

a larger selection of evening programs because classroom and large open space at the Recreation Department is now available. Future plans for Community Education include the addition of a computer lab that would be available to the after school program as well as to adults during the day.

Kid Care
Kid Care, the Department's licensed after-school program at the Recreation Department and Muraco School, serviced 52 families. The program includes before-school care, after-school kindergarten, after-school care for grades 1-5, and extended care during school early-release days. We operated two programs, one at the Recreation Department and one at the Muraco School, and are looking at combining these programs next year. Programs for the April school break were added to assist those parents in need of childcare.

Kid Connection
Kid Connection, the Recreation Department's licensed pre-school at the Recreation Department, serviced 60 families in 2003. This is up from 43 families last year and can be directly attributed to our new facility at 263 Main Street. The program offered extended hour care entitled "Stay and Play" and was very well received by parents. Options for younger children were also incorporated into the recreation offerings and were staffed by Kid Connection and used their classrooms. Kid Connection will continue to expand next year with a two-, three-, four-, and five-day option.

Youth Center
The Winchester Youth Center programs and services continue to be very successful. The Youth Center Peer Leadership program for high-school-aged youth, has grown extensively and provides participants with the opportunity to utilize their skills by working at the Youth Center and assisting with the planning and implementation of all Youth Center programs and events. A renewal of the Governor's Alliance Against Drugs High-Risk Youth Grant was secured to help fund the Peer Leader program. An evening Youth Group, Discover for seventh and eighth graders continues to flourish. Major events include the Rock for Youth Battle of the Bands and the new Coffee House. The Winchester Youth Center staff continues to work closely with middle- and high-school administration and staff.

Summer Adventure
Enrollments declined slightly this past year with approximately 200 participants per session. We again offered single-week options, and participants seemed to like the flexibility this provided them. The program was based at McCall Middle School, an ideal location. A dedicated staff provided varied activities for children from ages 3 through 15. Full Day participants had their swimming lessons at Borggaard Beach. Tennis lessons took place five days a week at the Packer Courts. An extended day program offered both early morning and late afternoon hours. Adventure Connection expanded to two three-week sessions and was a great success. The CIT program continues to be popular. Through the generosity of the En Ka Society, summer opportunities were accessible to a great number of youths that did not have the financial resources necessary to participate. Winchester Recreation will be moving part of this program to the Recreation Department next summer.

Tennis
Over 1,200 passes were sold during the 2003 tennis season. This is down from over 1,400 a year ago. The decline is attributed to inclement weather early in the season. The maintenance of the 15 Packer Tennis Courts continues to be our responsibility. E.B. Rotondi & Sons, Inc., was again hired to open the courts for the season. Revenues from the sale of passes pays for the tennis supervisors, maintenance and materials used at the courts. The Winchester Indoor Lawn Tennis Center supervised and staffed the tennis lesson program. It was a great success.

Borggaard Beach
The Beach showed a decline in memberships for the Summer of 2003. Fewer than 500 season passes and 600 daily passes were sold. The raising of $10,000.00 from a Beach Fundraiser and other Recreation revenues were used to offset the beach expenses for the 2003 season.

Community Events
Events included the fifteenth annual Halloween Parade, an eighth year of Halloween Window Painting whose success is due to the cooperation of over 200 local merchants and over 500 participants who added their artistic touches to merchant's windows all over

town, and our tenth annual Breakfast with Santa at the Mystic School. Recreation did change the breakfast to include pancakes and sausages.

"Common Concerts" and "Movies on the Common"
The Town Common became the performance center on eight Wednesday nights. The concerts and movies alternated weeks and both programs drew large crowds weekly.

Second Annual Golf Tournament
116 golfers participated in this now annual event held at the Hillview Country Club in North Reading. Those who participated had a wonderful time and are looking forward to participating next year. This year's tournament honored Karen Erikson, who has been a friend and volunteer to Winchester Recreation Department for over 10 years. Winchester Recreation would also like to thank all their sponsors and participants.

Wine Tasting and Boston Bruins Soccer Game
The Department started two new fundraising events. A Wine Tasting was held to support the Kid Connection Pre-School at the Sanborn House. The event was a huge success thanks to the organizing efforts of Pre-School Director Annette Kennedy. Another successful event was the soccer game between local Winchester Residents and former Boston Bruins. The event raised over $10,000 for Borggaard Beach.

Field Rental
The Recreation Department is responsible for assigning fields to various schools and town groups upon request. Fees are charged for the use of the fields and an additional charge is assessed for use of the lights at Ginn Field. The revenues are used to pay the electric bill for Ginn Field and the administrative charges for personnel working on field scheduling. A Field Permit Policy was adopted to improve communication between the user groups and the Town of Winchester.

Field Capital Improvements
Our department was very active in securing funds for several field capital projects including Leonard Field, McDonald Field, and Mullen Playground. The Leonard Field project is nearly complete and should be back online next fall. The McDonald Field project is scheduled to begin during the summer of 2004.

Trips
Trips have become popular offerings. Trips this past year have included the annual New York City Trip, A trip to Iceland, Overnight to New York City, Tanglewood, Blithewold Mansion, Connecticut River Cruise, and Lobsters in Maine

Community Gardens
A small number of garden plots are available to town residents. Located near the Westside Fire Station, this area is a source of joy and produce to those who rent the plots

Life at Sanborn House/Mystic School
The Recreation Department started the year at the Sanborn House and moved to its new location at 263 Main Street in August. This move was coordinated between the Town of Winchester and the School Department. The Recreation Department has a five-year lease with the School Department and hopes that its stay will become permanent. The move has given our department more space to coordinate more programs and expand current offerings. The renovation of the Mystic School prior to moving in cost about $100,000.

Other Services
Winchester Recreation and Community Education is also proud to offer residents athletic apparel and discounted tickets to AMC Theaters, Water Country Theme Parks and Six Flags Adventure.

Web Site
As a part of the Recreation Department's efforts to be accessible to residents, it maintains three web sites, www.winrec.com, www.winyc.com, www.kidsconnectionpreschool.com. We are now able to accept on-line registrations. Staff is also working with outside agencies to update its Website to provide a more customer friendly experience.

Look to 2004
As we look ahead to 2004, Winchester Recreation and Community Education intends to continue to operate on a 100% self-supporting basis. Our new facility at 263 Main Street will continue to allow us to expand programming and offerings for Winchester residents.

BOARD OF HEALTH

Richard Maggio, Chair
David W. Heinold
Joseph W. Costello
Joseph J. Tabbi, Acting Director

The duty of the Board of Health is to protect the health and well being of the citizens of Winchester. Its aim is also to protect the environment from pollution and damage. As new health issues arise, the Board will develop programs and services to respond to the citizen's needs. Most of the health functions of the Board are required by state law.

Board of Health
New Health Director: The Health Department accepted the resignation of James J. Nugent, Jr. in August 2003. The Board of Health is pleased to announce the appointment of a new Health Director, Jennifer Murphy, who will begin in March 2004. She comes to us with vast experience in the field of public health. She was employed by the State Department of Public Health for many years in the area of environmental health. One of her first tasks is to upgrade all of the electronic programs for the department.

Food Service Training
The Massachusetts Division of Food and Drug adopted a regulation several years ago requiring that at least one person be certified in food safety. This certification is a national certification. A person once certified need not be re-certified for five years. The Board, in its opinion, is not satisfied with the five year re-certification requirement and, therefore, adopted as a matter of policy that at least one person from each food service establishment attend a two-hour refresher course on food safety provided by the Board of Health. This is a mandatory requirement, and if individuals fail to apply their license to operate will be subject to suspension or revocation.

Food Service Inspections
The Board re-established the issuance of citations for violations of the food code for food service establishments in the town. Once an establishment is inspected and is given a length of time for compliance, if it does not comply within the designated time, a citation is issued which carries a fine of $50.00 per violation. Since the re-establishment of this procedure, we have found the number of repeated violations has decreased considerably over the months of its implementation.

Hazardous Waste Collection Day
Continuing the effort to keep hazardous waste from the waste stream and also keeping in mind the tight financial situation of the town, the Board will be holding one collection this year. The Board has chosen to conduct this collection during the spring months. Ample notification will be given the residents of the date and time and type of materials to be collected.

Geese Program
The Town of Winchester with the cooperation of the Division of Fisheries and Wildlife continued with the program of thinning out the geese population in the town. The Division of Fisheries and Wildlife, under strict guidelines adopted by the Federal government removes geese from the town on a periodic basis, which is helpful in thinning out the number of geese present.

Meningitis Program
In May 2003, the Board of Health held a Meningitis Prevention Program at Winchester High School. For the second year this program is the only successful Meningitis Prevention Program held at the high school level. Because of the success of this program, School Nurse and past Board of Health Chairperson Betty Britt was invited to speak before the Massachusetts State Legislature in July 2003 by the National Meningitis Association.

The following is a recap of the Meningitis Prevention Program for 2003:

- 173 Students immunized
- 29 Students immunized by private physician
- 1 Student immunized upon entering the military
- 3 Students will be immunized upon entering private school
- 2 Students chose not to receive the immunization
- 21 Students were non-responsive.

Funding for 2003 provided by:
Winchester Board of Selectman from the Winchester

Hospital Gift Fund
Winchester Co-Operative Bank
William Parkman Lodge of Ancient Free and Accepted Masons, The Grand Masonic Lodge of Massachusetts of Ancient Free and Accepted Masons

Syringes supplied by Winchester Family Physicians, Dr. Ronald Backer

Winchester Substance Abuse Coalition
The Winchester Substance Abuse Coalition (WSAC) is a program of the Board of Health. WSAC receives a grant from the Office of Juvenile Justice and Delinquency Prevention from the Department of Justice. This grant provides funding to assist the coalition in addressing risk factors for underage substance use. WSAC collaborates with various town departments in an effort to create a safe and drug free community. Our partners include but are not limited to the schools, police department, and the youth center. Through funding from the Justice Department, the WSAC has provided professional development workshops as a vehicle to increase the overall community capacity to address underage substance use. The coalition has also mailed out over 1800 survival kits to parents. The kits provide families the much needed facts, information and resources about underage substance use.

In addition, the WSAC collaborates with the schools to implement a science-based health curriculum, Life Skills Training, at McCall Middle School. Currently, this health program is being implemented at the 6th, 7th, and 8th grade classes with approximately 850 students participating. WSAC works with the schools on implementing the No Child Left Behind federal program. This fiscal year the coalition organized parent workshops with the school in an effort to involve a broader section parents in preventing underage substance use.

In the spring of 2004, WSAC will release the 2003 Youth Risk Behavior Survey (YRBS) report for the middle and high school. The YRBS report will be presented to students, parents, school faculty, community leaders and organizations.

Tobacco Control Report
Special projects of the Tobacco Control Program for the year 2003 are as follows:

A Coloring Contest was held for all students in K-2 promoting the health of the entire family with the theme : "We live, We play, We ride smoke–free". 230 participants.

A Calendar Design Contest was held for all students in grades 3-5 for all elementary schools promoting smoke free world. 215 participants.

Middle School Planners - Students in the McCall Middle School use planners for organizational purposes. Throughout the whole school year, approximately 750 were distributed to students and faculty. Planner back cover carries an anti-tobacco message.

High School Planners - High School Students and Faculty - Approximately 920 planners were distributed. Planner back cover carries an anti-tobacco message.

Compliance Check - Conducted compliance checks on all nine retail stores that have tobacco permits. One store sold to a sixteen-year-old girl. The retail store was a gas station whose employee's ethnic background and language barrier is one that may not fully understand the implications of selling to a minor. Signage asking for identification was displayed. The manager of the gas station has petitioned the ticket, and the tobacco director will appear in court for dispute.

Public Health Nurse

Salmonella	4
Camplyobacter	8
Invasive Strep Pneumonia	1
Hep B (chronic)	6
Shigella	2
Probable Bacterial Meningitis	1
Pertussis	18
E-coli	0
Giardia	2
Strep Pneumonia	1
Hep A	1
Cryptosporidiosis	1
Hep C	6
Lyme Disease	2
Aseptic meningitis	2

2003 – 54

There were no cases of active tuberculosis identified in Winchester. A TB screening program continues to be offered throughout the year. Total of people tested for TB: 35.

School Based Clinics – The Board of Health ran a school-based immunization clinic to protect children against Hepatitis B. All un-immunized students in grades 6-12 were offered this free service, of this 17 participated. A tetanus-diphtheria clinic was held at the Mc Call Middle School for 6th grade students. 25 students participated in the tetanus clinic.

The Board of Health, recognizing the importance of everyone of the high-risk group being immunized against flu and pneumonia, held two clinics at the Town Hall, two clinics at the Jenks Senior Center, and one clinic at the Stop & Shop. Eleven home visits were made.

Total flu shots for 2003 were 1,300, pneumonia, 119 and tetanus, 34.

The Health Department would like to extend its appreciation to all departments and volunteers for their support during the year.

COUNCIL ON AGING

Marcia Wood, Chairperson
Patricia Wells
Sharon A. Dulong
Donald E. McLean
Joanne P. Morgan
Virginia Klisiewicz
Paul Grayson
Marjorie L. Ryerson
John T. Moore
Paul F. Amico
Francis J. Selvitelli

The Council on Aging is the local government agency mandated by the State Executive Office of Elder Affairs and the Federal Administration on Aging to identify and address the needs of an aging population. In 2003, Winchester Seniors, 60 and over, represented 20% of the population. The Department's budget for FY 2004 was $189,586. By agreement between the Selectmen and the Winchester Seniors Association Trust, the COA operates out of the Jenks Senior Center, the focal point for senior activities in town

Staff And Services
The staff consists of an administrator, a licensed social worker, a licensed nurse, a financial counselor, a consulting attorney, a secretary and many volunteers who help to implement the Council's programming.

The COA social worker is available to all Winchester seniors and their families. She provides counseling, help in finding necessary community services, assistance with housing options, and oversees the handyman program. Monthly support group meetings are held for individuals with Parkinson's Disease, for Seniors Coping with Change, and for caregivers. In total, the social worker served 406 seniors and families in 2003.

The part-time COA nurse provides short-term consultation to community seniors and families experiencing acute or chronic health problems and undergoing medical treatment. She provides health screenings, assists with home care plans, identifies needed community resources, coordinates care with other agencies, and manages the Medical Equipment Loan Program at the Jenks Center. Her caseload for 2003 was 145.

Through a grant from the Office of Elder Affairs, the COA has a financial counselor on staff who consults with seniors by appointment. He also offers a number of educational programs having to do with the financial issues of retirement. For 2003, he provided financial counseling to 71 Winchester seniors.

SHINE Counselors, whose specialty is health insurance, are available to all seniors who need help in understanding health benefits. The COA also has a volunteer attorney available four hours a month for consultation to seniors.

PROGRAMS

Education
The COA sponsors a number of educational programs dealing with senior entitlements, legal issues, health, and other topics of interest. In addition, this past year the COA, with the Winchester Seniors Association hosted a daylong symposium on "Senior Advocacy." The COA conducted a Healthcare Forum entitled

"Healthcare – Where Are We Headed?" in six sessions running from January to June. The entire community was invited. The John and Mary Murphy Educational Foundation provided the COA with additional funds to provide more health care education in the coming year. Bi-monthly meetings are held for educational and information sharing purposes by the Administrator of the Council on Aging for all area agencies serving Winchester Seniors.

Intergenerational programs
Seniors continued their interaction with the youth of Winchester through the Eating Together luncheons with children at Kids Connection; the Literary Lunch, a monthly book discussion with McCall Middle School students; and "Festival of Life," an intergenerational holiday event sponsored by the Winchester Cooperative Bank and the COA. This year seniors participated in the Read America Day at the Ambrose School.

Nutrition – Eating Together
The COA and Minuteman Home Care completed their 17th year of serving hot lunches to seniors three times a week at the Jenks Center. Daily attendance averaged 25. Approximately 3,000 meals were served this year. Van transportation is donated two days a week by Salter Health Care. The third day is paid out of a grant given to the COA by the Executive Office of Elder Affairs.

Medical Transportation – Community Transportation
Through a grant from EOEA, the COA is providing transportation to seniors for medical appointments in Boston. This is a valuable addition to the volunteer provided service, which transports seniors within Winchester and to medical appointments in adjoining communities. This past year a total of 2,306 rides were provided.

OUTREACH
The COA did a survey of all Winchester seniors, 75 and over, living alone and unknown to the Jenks. Those who did not respond to the survey were called individually. The goal was to identify and address the needs of this group, which were appropriate to the COA.

Senior Citizen Community Service Reimbursement Program
Town Meeting approved funds for a senior tax reimbursement program. Seniors work for town offices, the schools, or library. The town raised the required hours from 95 to 111 a year and the reimbursement from $500 to $750. This is deducted from their property tax bill. During the year, 31 seniors have participated. The seniors and the agencies for which they work report that this experience has been invaluable.

Tax Survey
At the request of the Board of Selectmen the COA conducted a survey regarding the impact of property taxes on senior income. The results were reported to the Board of Selectmen, who requested the COA to design a senior tax relief program.

Grants From The Executive Office Of Elder Affairs
The EOEA awarded to the COA $22,323 through its formula grant. These funds went for van transportation, continuing education, supplies for ET lunches, the Senior Newsletter, the financial counselor, medical transportation, and senior programs.

WINCHESTER HOUSING AUTHORITY

Robert Fiorenza, Chair
Elizabeth Ellis, Vice Chair
Bruce Dove, Treasurer
Alice Warren, Assistant Treasurer
James J. Skahan, Jr.

The Winchester Housing Authority has been authorized to manage the construction, financing, and maintenance policies of subsidized housing for low-income families since 1970. The Housing Authority is a government agency that is regulated by the Commonwealth of Massachusetts through the Department of Housing and Community Development (DHCD) and by the Federal government through the Department of Housing and Urban Development (HUD). A five-member Board of Commissioners sets Housing Authority policy within the guidelines promulgated by the federal and state government.

The Housing Authority has two project complexes: the Mary E. Murphy State-Aided Apartments for the

Elderly (667-1) located on Palmer Street with 52 units and the John L. Doherty State-Aided Apartments for the Elderly (667-2) located on Westley Street with 60 housing units. Both have four barrier free units, and all 112 apartments are one-bedroom units. The Housing Authority owns and operates seven state-aided units under the chapter 705 program and four units under Town management. These scattered-site units contain two, three, and four bedrooms.

The Housing Authority administers 143 Section 8 Housing Choice Vouchers. The Housing Authority issues these Vouchers to eligible families, who are then obligated to locate program suitable housing within the predetermined housing search period.

There is a high demand for this popular program that subsidizes the family and not the housing unit. The section 8 subsidy is portable and travels with the family. The WHA has joined the MASS NAHRO consortium of 51 housing authorities. When an applicant applies at the WHA or one of the participating LHAs, the application is placed on 41 waiting lists.

Units Under Administration (December 31, 2003)

Location	Program Type	Subsidy Type	Units	Barrier Free Units	Total
Palmer St*	667-1	Stateaided	48	4	52
Westley St*	667-2	State-aided	56	4	60
Scattered Site	705	State-aided	7	0	7
Scattered Sites#	Section 8	Federal	143	0	143
Scattered Sites	Management	None	5	0	5
			259	8	267

* 13.5% of these units must be occupied by handicapped residents under the age of 60, and the balance are available to seniors. In either case, the resident or applicant must meet all other eligibility requirements for admission and continued occupancy.

\# Section 8 is a family based subsidy program. The subsidy is attached to the family, and it moves from unit to unit with the family.

Unit Turnover (January 1, 2002 – December 31, 2002)

Location	Program Type	Subsidy Type	Unit Turn-over	Barrier Free Units Turn-over	Total
Palmer St*	667-1	State-aided	8	2	10
Westley St*	667-2	State-aided	7	0	7
Scattered Site	705	State-aided	0	0	0
Scattered Sites#	Section 8	Federal	15	0	15
Scattered Sites	Management	None	1	0	1
			31	2	33

Any family or senior who would like to apply for the state program may do so by calling the Housing Authority for an application or by appearing in person at the Housing Authority office. The section 8 waiting list will open periodically after issuing public notice through the local media outlets. Income limits are reviewed every year for the federal section 8 program and every two years for the state programs.

Income Limits for Admission (December 31, 2003)

	One	Two	Three	Four
State Programs(337& 705)	40,800	46,650	52,500	58,300
Federal Programs (Section 8)	28,950	33,100	37,200	41,350

Waiting List (December 31, 2002)

			Winchester Residents	Total Application
Scattered Site	705&667	State-aided	24	248
Scattered Site	Section 8*	Federal	60*	42,000*

* The WHA converted to the NAHRO centralized waiting list beginning in 2003.

Current Initiatives

The Housing Authority completed exterior painting and carpentry for the Murphy and Doherty complexes, in September 2003 using a $59,000 grant from

Department of Housing and Community Development (DHCD). The Board is currently exploring possible ways to expand the stock of affordable housing in Winchester.

POLICE DEPARTMENT

Joseph N. Perritano, Chief of Police

Incidents Investigated	10,716
Houses Cared for While Closed	43
Motor Vehicle Citations Issued	3,829
Parking Violations Issued	7,960
Restraining Orders Issued	61

Arrests

Number of Arrests	110
Males	97
Females	13
Residents	52
Non-Residents	58
Adults	104
Juveniles	6
Protective Custody	10
Summonses	69

Juveniles

Children interviewed	275
Parents interviewed	130
Cases investigated	155
Court cases	140
Larcenies	42
Committed to Youth Services Board	2
Committed to Youth Services Board-Suspended	7
Juveniles put on straight probation	42
Cases referred to Doctors	2
Cases referred to other Police Department	12
Community work programs	85
Cases in which restitution was made	8
Amount of restitution in cases where property owned by Private citizens was damaged	$1,800
Cases referred to proper church authorities	2
Runaways	8
Schools visited	ALL
Public speaking engagements by Juvenile Officer	3
Cases referred to CHINS Program	15
Rapes investigated	1

Safety

Traffic issues investigated	204
Elementary school visits & classes	29
School traffic investigations	184
Mass. Safety League Meetings	10
Motor vehicle accidents:	
Personal injury	55
Property Damage	282
Fatalities	0
Total Investigated	337

Dog Control

Licenses issued by Town Clerk	1,451
Dog /Animal control calls	5,483
Dogs picked up	88

Money Turned Over To The Town

Money turned over to the Town from Woburn Court for violations of:	
Traffic, dog law, and other offenses	$2,690.00
Parking Tickets	$91,735.00
Parking Fines	$17,480.00
Parking Meter Collections	$7,076.80
Handicap Fines	$3,645.00
Photostat Copies	$1,291.00
Firearm License Fees	$6,200.00
Firearm Identification Cards	$2,825.00
False Alarm Fees	$25.00
TOTALS	$132,967.80

FIRE DEPARTMENT

John F. Nash, Chief of Department

The Department maintains a staff of one Chief of Department, five Fire Captains, eight Fire Lieutenants, 32 Firefighters, and one Administrative Secretary. Operations are housed in three locations: Central Station, located at 32 Mount Vernon St., the West Side Station, located at 45 Lockeland Road, and the Reservoir Station, located at 16 Alben St.

The Department staffs two fire pumpers (engines), one aerial ladder (truck), and one ambulance. These units operate 24 hours each day. Additionally, one engine and one ambulance are maintained in reserve and ready for service as periodic replacements or supplemental units as emergency conditions dictate.

Emergency Response	2002	2003
Total Fire Related Responses	636	627
Total Medical Related Responses	1,121	1,190
Total Other Emergency Responses	232	251
Total Fire Response to other Communities	63	56
Total Annual Responses	2,055	2,124

Training Division
The Department continues to utilize the resources of the State Fire Academy to train new recruits and enhance the training to career Firefighters. Formal education is provided at State Colleges through the Department's Self Improvement Program. The efforts and cooperation of the Firefighters, to maintain a high level of proficiency and preparedness, is to be commended.

The Department continues to expand the expertise of personnel with a comprehensive training program that encompasses all aspects of emergency services. The Fire Department administers a fully coordinated fire and medical training program, with all required medical training provided to personnel.

Fire Prevention Division
The Fire Prevention Division is responsible for inspections, fire drills, permits, certifications, complaint investigations, building plan review, code enforcement, and public education. The Division continues to provide education and activities in the schools through the State funded SAFE (Student Awareness of Fire Education) Program.

The 2003 Statistics for the Fire Prevention Division are as follows:

Permits & Certificates	571
Building Inspections	453
Fire Drills	64
Complaint Investigations	46
Safety Demonstrations	28

Emergency Medical Services Division
During 2003, the Department continued the utilization of cardiac defibrillators, epinephrine administration, and pulse oximetry to enhance the range of emergency medical treatment provided. Advanced Life Support (ALS) services continue to be provided in addition to the Department's Basic Life Support (BLS) program.

Continued training and certification of 30 Firefighter EMTs (Emergency Medical Technicians), 9 Paramedics, and 5 first responders has maintained an effective and efficient staff for the Department's delivery of ambulance service to the community. These Firefighters are to be commended for their continued dedication and commitment to maintaining the highest standards of emergency medical care.

In 2003, the Fire Department ambulance responded to 1,623 calls for medical and fire related emergencies. Ambulance response to neighboring communities occurred on 132 occasions, in accordance with mutual aid agreements. A total of 1,080 patients were treated and/or transported by fire department EMTs during 2003.

The 2003 statistics for the Department Ambulance are as follows:

Medical Responses	1,161
Fire Responses	618
Total Patients	1,120
Total Patient Transports	834

Fire Alarm Division
The Fire Alarm Division is staffed by one Superintendent and one Lineman, who are also Firefighters.

They are responsible for the testing and maintenance of all fire alarm circuits within the town. Before the September opening of the schools, all fire alarm systems were inspected and tested.

The Division continued to replace and modernize both the underground and overhead cable systems to enhance services, including fire alarm transmission, radio antenna networks, municipal security systems, data networks, and telephone communications.

Grant Programs
During 2003, the Fire Department sought and received over $150,000 in state and federal grant monies. These funds were used to replace obsolete and aged firefighter safety equipment, including air masks, protective clothing, and a breathable air compressor to refill firefighters' air tanks.

DEPARTMENT OF WEIGHTS AND MEASURES

James T. Shattuck, Sealer of Weights and Measures

WEIGHTS SEALED :

	Adjusted	Sealed	Non-Sealed	Condemned
100 LBS. and over	0	2		0
Less than 100 LBS.	8	42		0
Balances	0	1		

METER INLETS :

	Adjusted	Sealed	Non-Sealed	Condemned
Metric	0	16		
Apothecary	0	16		

	Adjusted	Sealed	Non-Sealed	Condemned
Vehicle Tank	0	4		
Gasoline	6	69	1	

COMMODITY INSPECTION :
Food Items – meat, vegetables, cheese, etc.. 289

This year continued to be a busy one in the Weights and Measures industry. I continued to train and and remain compliant with the state mandates and to upgrade my equipment. I sealed 167 devices and collected $882 in fees. I saved $1,865 for merchants and $ 6,834 for consumers due to my meter adjustments.

The Transfer Station's 60 – ton scale was tested by Mettler Toledo on Nov. 13, 2003.

The Sunoco on Main St. is down after many years of service.

I thoroughly enjoyed my seventh year serving The Town of Winchester as its Weights and Measures Official and look forward to serving the town in the future.

DEPARTMENT OF PUBLIC WORKS

Edward J. Grant, Acting Director of Public Works

Maintenance
The winter of 2002-2003 produced 71.3 inches of snow. The first major storm was November 27, 2002 and the last was April 4, 2003.

Capital equipment purchased in 2003 included a CAT 938 G front end loader and a Nissan forklift truck.

Sealcoating of Hingham, Mass., resurfaced the following streets; Pierrepont Rd., Middlesex St., Nelson St., Niles Lane, Nassau Drive, Baldwin St., Blackhorse Terrace, Churchill Rd., Chestnut St., Cabot St., Holland St., and Yale St.

Sidewalks were repaired or replaced on: Valley Rd., Highland Ave., Wildwood St., Wedgemere Ave., Englewood Rd., Salisbury St., Main St., Clark St., Lynch School, and Lincoln School.

Other projects completed by the Maintenance Department include: construction of Bellino Park, installation of a drain manhole and piping at the West Side Field to increase flow, Winter Pond clean up, replacement of sod at West Side and Skillings Fields, Aberjona River clean up, and creating additional parking spaces at the high school.

Cemetery
With funding recommended by the Capital Planning

Committee for renovation of the Cemetery Building, plans were drafted to help design and complete the interior building renovations. The program of hiring temporary laborers to augment Town personnel during the summer months continued. In April, we received the new Ford F-250 pick-up for the Cemetery Coordinator. At Town Meeting, the Cemetery Advisory Committee reduced its membership from seven to five. At the end of the summer, Heimlich Landscaping completed The Dell cremation area. In November, the Middlesex County Sheriff's office gave a crew for two weeks to help with leaf removal. In late fall we were able to hire the services of Vanaria and Sons Landscaping to help with leaf work.

Wildwood Cemetery Sale Of Lots/Burials 2003

Location	Graves	Burials
Monument Section	38	49
Memorial Park	11	32
Family Section	0	31
Cremains	3	33
Infant Section	0	1
Total	**52**	**146**
Dis-interments	0	1
Entombment	0	2

Wildwood Cemetery Monies Collected In 2003

Lot Values	$88,263
Permanent Care	$29,421
Interments	$94,210
Foundations	$ 8,155
Overtime	$ 6,125
Non-Resident Fee for Burials	$ 9,450
Non-Resident for purchase of Lots	$ 2,672
** Other: tomb rental	$ 540
Total:	$ 238,836

Water & Sewer

The Water Department replaced 500 ft. of water main quality and fire flows. It continued its water main abandonment of the 6 inch water main on Woodside Road. Fifteen older unreliable hydrants were replaced with new hydrants. Thirty lead neck waters services were replaced. The Water Department continued its aggressive program of Reservoir run off maintenance and patrolling.

The Sewer Department replaced 200 ft. of broken 8-inch sewer pipe on Oneida Road. TV camera work continued on sewer and drain lines to identify and repair problem areas in the system.

Buildings

The Buildings Department completed the following projects from 2002-2003:

- The Griffin Foundation project at the high school to build out a new dark room and class room for the Art Department.
- Oversight of the build-out for Public Safety Building lobby and the detectives' offices.
- Build-out for the transfer of Mystic School to the Recreation Department and the Kids Corner after-school program.
- Management of the Parkhurst School remodeling and portable classroom installation prior to move-in by Ambrose School.
- Management of and participation in the installation of handicap ramps, automatic door openers, railings, and new doors at the Lynch School.
- Management of the complete lighting retro fit of four schools: Lynch, Muraco, Parkhurst, Mystic done by NSTAR under their energy efficiency program.
- Negotiation of an $18,000 rebate from NSTAR for energy efficiency in the Public Library lighting.
- Cleaning and servicing of all boilers in town buildings before heating season by Combustion Services.
- Elevator service by Associated Elevator.
- Control System repairs performed by Mechanical Air Systems for all buildings.
- System-wide school carpet replacement performed by J.C. Floor Coverings out of East Boston.

Retirements

Paul "Skipper" Haggerty retired after 32 years of service with the Town of Winchester. We wish Skipper many happy years of retirement with his family.

In conclusion, I express my appreciation to all Department Heads, Town boards and committees, and DPW employees for their cooperation and assistance throughout the year.

DESIGN REVIEW COMMITTEE

Marion G. Crandall, 2003 Chair
David W. Stirling, AIA
David C. Anderson
Thomas H. Burchard, IDSA
David N. Storeygard, AIA
Kim Whittemore
Shelly Wood Ziegelman, AIA

This year's report is dedicated to Sandra S. Rodgers, member of the Design Review Committee from 1988 to 2003. Sandy contributed immeasurably to the quality of life in Winchester through her many years of work and the many hats she wore, planting trees and planning for parks and spots of beauty throughout the Town. Sandy's spirit will forever be a vital part of the work of this Committee.

Established by a vote of Town Meeting in 1982 as the Beautification Design Review Committee, the name was changed in 1991 to the Design Review Committee (DRC). This change reflects the true scope of the committee's work, including review of signage, site improvements, visual design and façade changes. The DRC responds to requests for review from town boards and departments, chiefly the Board of Selectmen, the Planning Board, the Town Manager, and the Public Works Department.

Sign Review
When requested by the Selectmen, the Town Manager, the Planning Board, property owners and tenants, the DRC provided design consultation and recommendations as to materials, typeface, colors, and lighting for signs and awnings. Working on a number of sign applications during the year, the DRC recommended sign changes that the Committee felt would be more attractive to the Town as a whole.

Town Meeting Action
In this spirit, the DRC brought recommended changes to the Sign By Law to the November 2003 Town Meeting. The first approved article directs that DRC review all sign applications and submit its recommendations to the Building Commissioner in advance of his decision. Likewise Town Meeting resoundingly supported a restriction and limitation on internally illuminated signage.

Newspaper Dispensers
DRC brought forward to the Board of Selectmen a revisiting of the newspaper dispenser article to regulate and license newspaper dispensers. Favorable action was taken at the November Town Meeting and approved by the Massachusetts Attorney General.

North Main Street and Bellino Park
Site improvements are considered with each proposed development as well as streetscape plans. One member regularly sits on this committee. During the Spring 2003 Town Meeting plans brought forward by the Swanton Street Park Committee for the swapping of some land with Parkview condominiums and for the acquisition of a small piece of additional land were approved. Together these changes provided a better configuration for the future Bellino Park (formerly Swanton Street Park) development.

955 Main Street
DRC continues to work with the Board of Selectmen on parking considerations and expansion of the parking lot.

Park Improvements
DRC had initial discussions about drainage issues and landscaping for Davidson Park, and began initial discussions regarding the plans for signage and landscaping for Chefalo Park. The Committee also assisted in discussions and placement for the Susann Wyler commemorative bench at Mullen Playground.

Other representative projects for 2003 included: DRC representation on the Sanborn House Committee and DRC representation for consideration of waterway improvements and discussion of the Mount Vernon Street Bridge; as well as representation regarding the Cemetery improvements to the Dell. DRC continues discussions with Rotary regarding their generous and appreciated offer to gift a "Town Hall" sign to be placed at the front entrance.

The Committee, having lost a few members this past year, is delighted to be working with a full

complement of members. And DRC did, this past year, vote a policy position to establish a rotating chair on an annual basis.

HISTORICAL COMMISSION

David Dower, Chair
Charlene Band
Matthew Bronski
John Clemson
Bruce Hickey
Mark Flannery

Aberjona River Flood Improvements
Working constructively and proactively with the Town and its consulting engineers throughout the preliminary design process for the Mount Vernon Street bridge alterations, the Historical Commission strongly advocated for retention of the historic 1872 bridge, which is included on the National Register of Historic Places. It is the oldest surviving stone bridge built by the Town and is one of only 16 known multi-span stone slab bridges in the Massachusetts Highway Department's database of approximately 8,000 bridges/culverts in the Commonwealth. The Commission promoted retaining the historic bridge and adding a fourth granite culvert to the existing structure. Further, the Commission researched and found a solution to reinstate an ornamental metal railing on the bridge, allowing views of the Mill Pond while meeting all current MassHighway crash-test and safety standards. This option is less expensive than demolition and replacement, less technically complex and risky to the adjacent Miller Building, and will likely take less time than demolition and replacement.

Demolition Delay Bylaw
In 2002, 288 additional property owners consented to their properties being subject to the Demolition Delay Bylaw, bringing the total number of listed properties to 638, including approximately 350 properties that are listed on the National Register of Historic Places.

Despite this increase, it is important to note that demolition delay still affects relatively few of the town-wide applications for demolition permits. From 2001 to 2003, a total of 46 demolition applications were reviewed by the Commission. Four of these properties are included in the list of protected properties and therefore subject to the Demolition Delay Bylaw: 36 Elmwood Ave., 24 Water St., 26 Mystic Valley Parkway, and 4 Norwood St. Following public hearings, the Commission granted demolition permits for two properties, and the Bylaw was imposed for two of these properties (26 Mystic Valley Parkway and 4 Norwood St.). The application for a demolition permit for 26 Mystic Valley Parkway was subsequently withdrawn by the property owner. Because 4 Norwood St. was sold during the six-month delay period, the application for a building permit to demolish the property did not transfer to the new owner. As confirmed by Town Counsel, any new owner seeking to demolish the property must begin the application permit process anew. If the demolition delay is enacted by the Historical Commission in the future, the demolition delay process and timetable also begin anew.

Architectural Heritage Committee of the Strategic Plan Task Force
The Historical Commission has been actively involved in developing the Architectural Heritage component of the Strategic Plan.

Preservation Plan
Gretchen Schuler, a Preservation Consultant, was engaged through funding from the Winchester Planning Board, to complete a Preservation Plan for the Town. It is anticipated that the Plan will be completed and available for distribution during 2004.

Henry E. Simonds Archival Center
Unstaffed and underfunded (with a yearly budget of only $600), the Archival Center continues to serve the public through the heroic and highly professional efforts of its all-volunteer staff. Because of problems created through many years of inadequate funding, lack of professional staffing, cramped space, inadequate cataloguing, security concerns, and other issues, last year Town Manager Brian Sullivan appointed a Historical Collections Study Committee, with members representing the Center, the Winchester Historical Society, Historical Commission, Public Library, and Town Clerk. This July, the committee presented a report to the Town Manager and Board of Selectmen which is essentially a needs assessment of the historical collections of the Town with recommendations on providing a secure storage environment, preserving and building the collections,

and improving access.

As the Collaborative for Documenting Winchester's History, members of the Study Ccommittee applied for a grant from the Massachusetts Historical Records Advisory Board and were awarded $5,000. A major portion of the grant money is being used to begin an electronic cataloguing project with the help of an archival consultant. The Collaborative, as a successor to the Study Committee, is continuing to advance the committee's recommendations. The Commission and Collaborative continue to advocate for funding for part-time staff.

Other Activities

The Historical Commission is actively involved in other areas of preserving Town history through participation on the Sanborn House Reuse Committee and the Recreation and Open Space Committee. The WHC continues to seek opportunities to coordinate with the Educational Facilities Planning and Building Committee and others over the impacts of the Ambrose School construction on the site of the Sanborn House.

TOWN CLERK

Carolyn Ward, Town Clerk

Submitted herewith is a summary of major services of the office for the past five years and records of the following Elections and Town Meetings held during 2003:

Spring Annual Representative Town Meeting April 28, 2

Fall Annual Representative Town Meeting November 3,

Annual Town Election March 25, 2003

Office of the Town Clerk
Summary of Services 1999-2003

	1999	2000	2001	2002	2003
Licenses & Permits					
Marriage	1,305	1,575	1,945	2,175	1,925
Raffle	40	30	60	60	80
Transfer Station	395,195	409,760	402,205	535,330	582,890
Fuel Storage	145	660	245	250	225
Dog	9,556	10,746	16,131	17,141	15,830
Fish & Wildlife	4,248	4,715	4,731	4,864	3,959
	$410,489	**$427,486**	**$425,317**	**$559,820**	**$604,909**
Vital Records					
Birth Cert	15,873	21,965	40,205	36,061	35,414
Marr Cert	1,150	1,515	2,760	2,730	2,397
Death Cert	12,750	16,985	35,395	33,494	29,278
A & C	50	110	565	225	550
	$29,823	**$40,575**	**$78,925**	**$72,510**	**$67,639**
Business Filings					
Business Certs	2,350	2,450	4,880	5,760	**5,880**
U.C.C.	1,794	2,176	2,118	0	**0**
Pole Locations	340	220	240	160	**440**
	$4,484	**$4,846**	**$7,238**	**$5,920**	**$6,320**
Non Criminal					
Violations	**$715**	**$775**	**$2,590**	**$2,585**	**$2,610**
Publications					
Lists/Labels	309	362	668	560	**335**
Resident Books	1,170	1,900	2,045	1,990	**1,660**
Zoning By-Laws	538	850	1,130	1,028	**935**
	$2,017	**$3,112**	**$3,843**	**$3,578**	**$2,930**
Fines & Misc					
Miscellaneous	**$544**	**$441**	**$631**	**$456**	**$442**
TOTALS	**$448,072**	**$477,235**	**$518,544**	**$644,869**	**$684,850**

Non-Revenue Services

Vitals Recorded					
Births	2560	2632	2569	2528	2387
Marriages	121	90	89	89	90
Deaths	516	571	554	572	494
Amendments	98	70	66	69	71
Voters Registered	760	1529	581	1170	1521

SPRING ANNUAL TOWN MEETING - APRIL 28, 2003

Article

1. Reports
2. Authorize Treasurer to Borrow
3. Authorize Compensating Balance Agreements
4. Petition General Court Re: Additional Licenses for Retail Sale of Alcoholic Beverages
5. Zoning – Flood Plain Dist.
6. Zoning - Half Story Definitions
7. Zoning – Parking Requirements for Village Overlay District
8. Code of By-Laws – Underground Utilities
9. Accept MGL Ch. 59 Sec. 2A Real Estate Assessment date change
10. Personnel Board
11. Hire Town Planner
12. FY04 Budget
13. Capital Improvements Projects
14. FY04 Water & Sewer Budget
15. Amend Water Rates
16. State Highway Fund Ch 90
17. Board of Health Revolving Fund
18. Recreation Department Revolving Fund
19. Transfer Station Revolving Fund
20. Water & Sewer Demand Fee Revolving Fund
21. Household Hazardous Waste Collection
22. Accept MGL Ch. 4 Sec. 73 Acts of 2003-Municipal Tax Amnesty Program
23. Petition General Court to allow Municipal Tax Liens
24. Accept MGL Ch. 40 Sec. 57 Revocation of Licenses for non-payment of taxes
25. School Committee Lease Mystic School
26. Increase Allowance for Senior Work Program from $500 to $750
27. Accept Ch. 32B Sec.18, Retirees to Join Medicare
28. Petition General Court to Authorize Town to Assess 2% Tax on Real Estate Transfers
29. Accept Gift of Ferrari Property
30. Accept as a Gift State Owned Land at 150 Cross St.
31. Petition General Court to have State gift land at 150 Cross St
32. Lease Sanborn House for Civic Purposes
33. Town Meeting Reports – Committee on Rules Contract for Disposal of Waste after 9-26-05
34. Contract for Disposal of Waste after 9-26-05
35. Supplement FY03 Budgets
36. Reduce Tax Levy
37. Receive & File Selectmen Strategic Planning Steering Committee Report
38. Create Winchester Waterfields Resource Committee
39. Committees
40. Comply with Prop 2 ½

FALL ANNUAL TOWN MEETING - NOVEMBER 3, 2003

1. Reports
2. Town Meeting Attendance
3. Rescind (Approve) Extension of Winning Farm Purchase & Sales Agreement
4. Zoning- Winning Farm Overlay Restrictions
5. Zoning- Winning Farm Frontage Footage
6. Zoning- Winning Farm Extend SCI District
7. Zoning- IEH Overlay District spec permit /site plan review
8. Code of By-laws – Signs – Applications to Design Review Committee
9. Code of By-Laws – Signs – Exterior Lighted Signs
10. Code of By-laws – Signs – Interior Lighted Signs
11. Code of By-laws – Regulation of New Racks
12. Report on Flooding and Drainage Program
13. Obtain Temporary Construction Easements Cross St
14. Appropriation – Repairs to Private Ways
15. Code of By-Laws – Treasurer Residency
16. Cemetery Advisory Committee – from 7 to 5 members
17. Ratify School Committee Vote to Excess Sanborn House
18. Name Joseph M. Bellino Park
19. Personnel Board – Fire Dept & Teachers' Contracts
20. Amend FY04 Budget
21. Waterfields Resource Committee
22. Committees
23. Authorize Assessors to Reduce Tax Levy
24. Comply with 2-1/2

ANNUAL REPRESENTATIVE TOWN MEETING
SPRING SESSION

April 28, 2003

Pursuant to the warrant of the Selectmen served according to law upon the inhabitants of the Town of Winchester, Massachusetts by Richard Kelley, Constable of said town, notices having been sent by mail ten days before the day of the meeting to the Town Meeting Members elected and qualified to act at Town Meeting in Winchester, the Town Meeting Members met in the High School Auditorium in said Town of Winchester on Monday, April 28, 2003 at 7:30 o'clock in the evening.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kathleen Cramer and Kelly Davis of the Office of the Town Clerk. The list contained the names of one hundred ninety (190) Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred sixty-eight (168) Town Meeting Members attended the meeting.

Following a flag ceremony presented by Winchester Girl Scouts, the meeting was called to order by Moderator John J. Sullivan. After offering a prayer and a tribute to Sandra S. Rodgers, Precinct 5 Town Meeting Member who passed away on March 30, the Moderator read the call of the meeting and the Constable's return of the warrant, as copies of the warrant had been mailed to each of the Town Meeting Members and each article would be read when it came up for consideration.

Preliminary Motions

MOVED AND SECONDED that Brian F. Sullivan, Town Manager, Joseph W. Bonner, Comptroller, and Wade M. Welch, Town Counsel, who are not Town Meeting Members, be permitted to sit at the front of the auditorium with the Board of Selectmen, during all sessions of this Town Meeting.

Motion Carried

MOVED AND SECONDED that all members of the Finance Committee and their secretary, whether Town Meeting Members or not, be permitted to sit together at the front of the auditorium during all sessions of this Town Meeting.

Motion Carried

MOVED AND SECONDED that the Town Clerk or the Assistant Town Clerk be permitted to occupy a desk on the platform during all sessions of this Town Meeting.

Motion Carried

MOVED AND SECONDED that the Moderator be authorized to permit members of various town boards, commissions, committees, department heads, and petitioners of special articles to sit at the front of the auditorium during consideration of appropriate articles.

Motion Carried

MOVED AND SECONDED that unless it be otherwise ordered, all adjourned sessions of this Town Meeting shall be held on successive Thursday and Monday evenings at 7:30P.M. in the High School Auditorium, until the work of this Town Meeting is completed.

Motion Carried

MOVED AND SECONDED that action on all motions involving appropriations shall be contingent upon compliance with the provisions of Massachusetts General Laws Chapter 59, Section 21C, a law known as the 2-1/2 Tax Limitation.

Motion Carried

MOVED AND SECONDED that cable television coverage shall be permitted at all sessions of this Town Meeting.

Motion Carried

ARTICLE 1

To hear and act upon the reports of the Town Officers and the Finance Committee, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that the reports of Town Officers and the Finance Committee be received and placed on file.

Motion Carried

Reports were given by the following persons:

Paul J. Collins, Chairman – Finance Committee
James A. Johnson, III, Chairman – Board of Selectmen
V. James Marini, Superintendent of Schools
introduced by Sarah E. Swiger, Chairman – School Committee
Brian F. Sullivan, Town Manager
Maureen I. Meister, Vice Chairman – Planning Board
Jon French, Chairman – Library Trustees
William Andrew Lang, Chairman – Committee on Rules

MOVED AND SECONDED, that the meeting be adjourned for precinct meetings.

Motion Carried

At the conclusion of Article 1, in accordance with Chapter 2, Section 2.2.1 of the Code of By-Laws, precinct meetings were held. Precinct chairmen, clerks and representatives to the Committee on Rules were elected. Precincts 1 and 5 each elected a town meeting member to fill a vacancy until the Town Election in 2004.

The meeting reconvened and the Moderator announced that in accordance with Chapter 2, Section 2.2.2 no articles containing an appropriation of funds applicable to the ensuing fiscal year could be taken up until the first Monday in May.

ARTICLE 4

To see if the Town will petition the General Court for authority to provide for the issuance of additional licenses for the sale, at retail, of all alcoholic beverages or wine and malt beverages in packages not to be drunk on premises, or take any other action in relation thereto.

(Petition of Christopher M. Benoit, et al)

MOVED AND SECONDED that the Town petition the General Court for authority to provide for the issuance of one (1) additional license for the sale, at retail, of all alcoholic beverages or wine and malt beverages in packages not to be drunk on premises.

MOVED AND SECONDED to amend by substituting the following motion:

MOVED AND SECONDED that the Town petition the General Court for authority to provide for the issuance of one (1) additional license for the sale, at retail, of all alcoholic beverages and two (2) licenses for the sale, at retail, of wine and malt beverages in packages, not to be drunk on the premises.

Motion to Amend Carried

VOTED, that the Town petition the General Court for authority to provide for the issuance of one (1) additional license for the sale, at retail, of all alcoholic beverages and two (2) licenses for the sale, at retail, of wine and malt beverages in packages, not to be drunk on the premises.

ARTICLE 5 **(Zoning By-Law Amendment – Floodplain District)**

MOVED AND SECONDED that further consideration of Article 5 be postponed to a time certain, that time being immediately after consideration of Article 38.

Motion Carried

ARTICLE 6

To see if the Town will vote to amend the Winchester Zoning By-law, adopted October 29, 1973, as heretofore amended, and map incorporated therein, by incorporating the following change:

Amend Section 9, DEFINITIONS, by adding the clarifying language and associated figures 9.1 and 9.2 shown below, immediately after the existing definition for the term HALF STORY.

Existing Definition: STORY, HALF – A story directly under a sloping roof in which the points of intersection of the bottom of the rafters and the interior faces of the wall are less than three feet above the floor level on at least two exterior walls.

Clarifications to add immediately after existing definition:

a) **Dormers may be constructed on those exterior walls provided the length of the dormer (s) as measured between the lowest bearing points of the dormer (s) on the rafters of the sloping roofs does not exceed 50 percent of the length of the sloping roof to which it is attached.**
b) **The area of a half story shall be the area within which the height from the floor to the bottom of the rafters is five feet or greater. Where this height occurs at an exterior wall, the measurement shall be from the exterior face of such a wall.**
c) **Under no case may the calculated area of the half floor total more than 65 percent of the floor immediately below.**

Or take any other action in relation thereto.

(Planning Board)

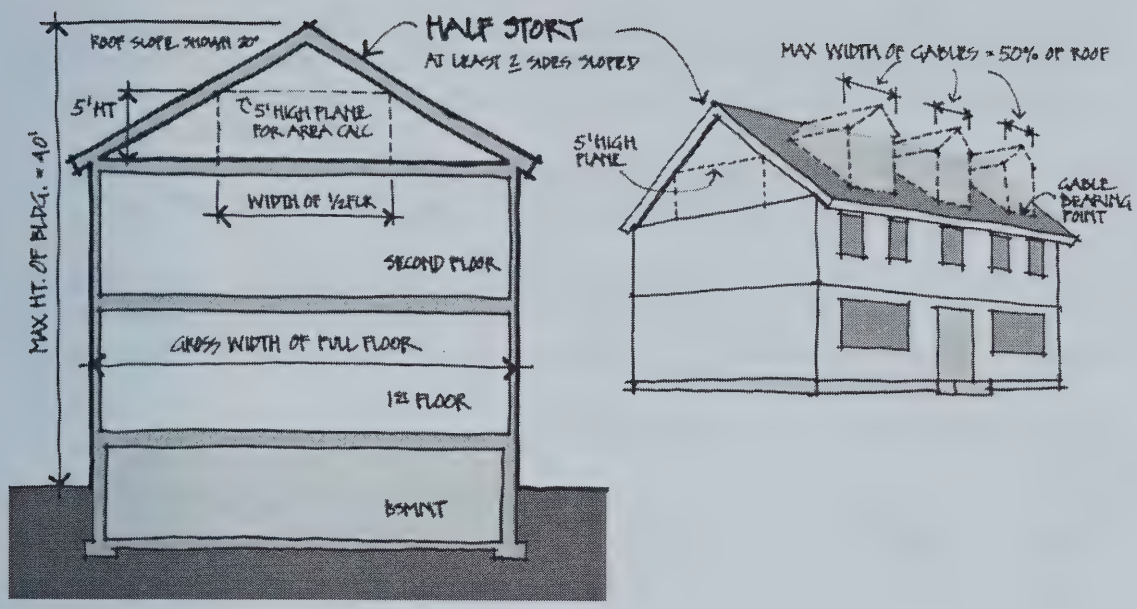

Figure 9.1
Typical Half Floor Area and Gable Restrictions

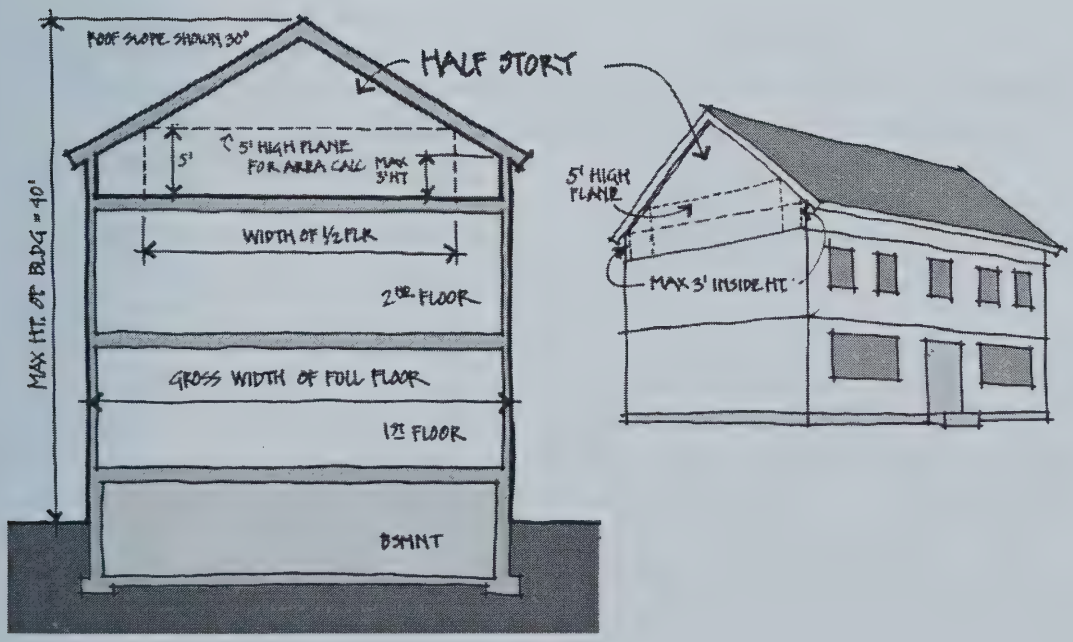

Figure 9.2
Half Floor with Exterior Walls Extended a Maximum of 3 Feet

MOVED AND SECONDED, to amend the Winchester Zoning By-law, adopted October 29, 1973, as heretofore amended, and map incorporated therein, by incorporating the following change:

Amend Section 9, DEFINITIONS, by adding the clarifying language and associated figures 9.1 and 9.2 shown below, immediately after the existing definition for the term HALF STORY.

Existing Definition: STORY, HALF – A story directly under a sloping roof in which the points of intersection of the bottom of the rafters and the interior faces of the wall are less than three feet above the floor level on at least two exterior walls.

Clarifications to add immediately after existing definition:

a) Dormers may be constructed on those exterior walls provided the length of the dormer (s) as measured between the lowest bearing points of the dormer (s) on the rafters of the sloping roofs does not exceed 50 percent of the length of the sloping roof to which it is attached.

b) The area of a half story shall be the area within which the height from the floor to the bottom of the rafters is five feet or greater. Where this height occurs at an exterior wall, the measurement shall be from the exterior face of such a wall.

c) Under no case may the calculated area of the half floor total more than 65 percent of the floor immediately below.

MOVED AND SECONDED to amend the main motion by replacing in sub-paragraph a) the words "those exterior walls" with the words "a sloping roof", and by replacing the word "length" with the word "width".

Motion to Amend Carried

MOVED AND SECONDED that further consideration of Article 6 be indefinitely postponed.

Motion Carried

ARTICLE 7

To see if the Town will vote to amend the Winchester Zoning By-law, adopted October 29, 1973, as heretofore amended, and map incorporated therein, by incorporating the following change:

Amend section 6.44, Parking Requirements for Village Center Overlay District, by replacing the existing language with the following:

For the following permitted uses, the parking requirement in the VCOD shall be identical to that for the corresponding use in the CBD.

(5a) the business portion of the use, but not the residential portion of the use;

(21) retail store;
(22) barber, beauty or shoe repair shop, self-serve dry cleaning or laundry;
(23, but not 23a) lunchroom, restaurant, cafeteria;
(26) photographer's studio, repair shop for household appliances, radio/TV, office equipment;
(28) bank, business office;
(30) real estate, insurance, publishing, professional office, business office.

For other permitted uses in VCOD, the parking requirements of GBD-2 shall apply. If the use is not permitted in GBD-2 but is permitted in the underlying zone, the parking requirements of the underlying zone shall apply, or take any other action in relation thereto.

(Planning Board)

MOVED AND SECONDED to amend the Winchester Zoning By-law, adopted October 29, 1973, as heretofore amended, and map incorporated therein, by incorporating the following change:

Amend section 6.44, Parking Requirements for Village Center Overlay District, by replacing the existing language with the following:

For the following permitted uses, the parking requirement in the VCOD shall be identical to that for the corresponding use in the CBD.

(5a) the business portion of the use, but not the residential portion of the use;
(21) retail store;
(22) barber, beauty or shoe repair shop, self-serve dry cleaning or laundry;
(23, but not 23a) lunchroom, restaurant, cafeteria;
(26) photographer's studio, repair shop for household appliances, radio/TV, office equipment;
(28) bank, business office;
(30) real estate, insurance, publishing, professional office, business office.

For other permitted uses in VCOD, the parking requirements of GBD-2 shall apply. If the use is not permitted in GBD-2 but is permitted in the underlying zone, the parking requirements of the underlying zone shall apply.

The following persons were appointed as Tellers and sworn to the faithful performance of their duties: David G. Leland, Stephen A. Moore, Joshua M. Alper

Standing Vote (2/3 required for passage) YES – 162; NO – 6
Motion Carried

ARTICLE 8

To see if the Town will vote to amend Chapter 8 of the General By-laws by adding Section 38 – Underground Utilities as follows:

Section 38 - Underground Utilities:

Any person, firm or corporation, partnership, public or private, their agents and employees (hereinafter referred to as "utilities") that has been granted a permit by the Board of Selectmen under Chapter 3 of the By-law, or under Chapter 166 of the General Laws of the Commonwealth, shall remove, or cause to be removed by cooperative agreement with the Town and abutting property owners, and shall replace, or cause to be replaced with underground facilities, its poles, overhead wires, the associated overhead structures, and overhead customer service facilities, including all municipally-owned facilities, in one or more roadway segments described in the engineering plan titled "Underground Utility Restriction District" dated March 6, 2003 by Robert E. Conway PE, Winchester Town Engineer, on file in the Town Engineer's office. Connections to buildings currently served above ground shall be replaced by underground connections directly to the electric meter or other junction box or any other mutually agreed terminus point, where services enter each building served by said utilities, said roadway segments being more fully described as follows:

Segment One:

The segment of Main Street from the point at which services emerge above ground on Main Street at, near, or adjacent to Eliot Park, to the northerly limit of the Village Center Overlay District in the vicinity of the intersection of Skillings Road and Main Street, as shown on the plan entitled "Underground Utility Restriction District"

Segment Two:

The segment of Main Street between the northerly limit of Segment One and the southerly limit of the Swanton Street Park, as shown on the plan entitled "Underground Utility Restriction District"

Segment Three:

The segment of Main Street between the northerly limit of Segment Two and the northerly limit of the Village Center Overlay District in the vicinity of the intersection of Swanton Street and Main Street, as shown on the plan entitled "Underground Utility Restriction District"

Segment Four:

The segment of Main Street between the northerly limit of Segment Three and the intersection of Main and Hemingway Streets, as shown on the plan entitled "Underground Utility Restriction District"

Segment Five:

The segment of Main Street between the northerly limit of Segment Four and the Winchester-Woburn municipal border, as shown on the plan entitled "Underground Utility Restriction District".

Or take any other action in relation thereto.

(Planning Board)

MOVED AND SECONDED that further consideration of Article 8 be indefinitely postponed.

Motion Carried

ARTICLE 33

To see if the Town will vote to amend the Code of By-Laws Chapter 2, Section 3.8.2 so as to read as follows:

(Note: added text is underlined. The only deleted text is in Subsection 3 of the revised version.)

3.8.2 Warrant Article Requirements:

(1) The proponent of each warrant article shall prepare or cause to be prepared the motion as it is to be presented, prepare a supporting report and cause copies of each to be made available to Town Meeting Members at the required public hearing. If requested, the Board of Selectmen shall provide, or cause to be provided, assistance with the preparation of the formal motion.

(2) <u>The Town Manager's office shall cause a copy of each motion and supporting report to be delivered to Town Meeting Members at least seven (7) days before the first session of Town Meeting, unless prohibited by applicable law.</u>

(3) <u>Failure to comply with Section 3.8.2, Subsections (1) and (2),</u> shall preclude any consideration of the warrant article by the Town Meeting <u>until seven (7) days after a supporting</u> report is made available to members unless otherwise voted by a majority of the Town Meeting.

(4) Any warrant articles requiring appropriation shall be deemed to fulfill the reporting requirements of Section 3.8.2 if covered by the Finance Committee report to the Town Meeting with the following exceptions:

a. Finance Committee recommendation is deferred pending receipt of more specific information.

b. Motions for acceptance and appropriation for collective bargaining agreements. Such motions shall require the statutory bargaining authority to prepare a written report as provided in Section 3.8.2.

(5) Copies of each final written motion as it is to be presented to the Town Meeting should be available for distribution to Town Meeting Members at least thirty (30) minutes prior to the scheduled commencement of the opening session of Town Meeting.

Or take any other action in relation thereto.

(Committee on Rules)

MOVED AND SECONDED to amend the Code of By-Laws Chapter 2, Section 3.8.2 so as to read as follows:

3.8.2 Warrant Article Requirements:

(1) The proponent of each warrant article shall prepare or cause to be prepared the motion as it is to be presented, prepare a supporting report and cause copies of each to be made available to Town Meeting Members at the required public hearing. If requested, the Board of Selectmen shall provide, or cause to be provided, assistance with the preparation of the formal motion.

(2) The Town Manager's office shall cause a copy of each motion and supporting report to be delivered to Town Meeting Members at least seven (7) days before the first session of Town Meeting, unless prohibited by applicable law.

(3) Failure to comply with Section 3.8.2, Subsections (1) and (2), shall preclude any consideration of the warrant article by the Town Meeting until seven (7) days after a supporting report and motion are made available to members unless otherwise voted by a majority of the Town Meeting.

(4) Any warrant articles requiring appropriation shall be deemed to fulfill the reporting requirements of Section 3.8.2 if covered by the Finance Committee report to the Town Meeting with the following exceptions:

a. Finance Committee recommendation is deferred pending receipt of more specific information.

b. Motions for acceptance and appropriation for collective bargaining agreements. Such motions shall require the statutory bargaining authority to prepare a written report as provided in Section 3.8.2.

(5) Copies of each final written motion as it is to be presented to the Town Meeting should be available for distribution to Town Meeting Members at least thirty (30) minutes prior to the scheduled commencement of the opening session of Town Meeting.

MOVED AND SECONDED to amend the main motion by deleting subparagraph 5 and by deleting the phrase "until seven (7) days after a supporting report and motion are made available to members" in subparagraph 3.

MOVED AND SECONDED to amend the amendment by deleting the reference to subparagraph 5.

Motion to Amend the Amendment Carried

MOVED AND SECONDED that the main motion be amended so that subparagraph 3 now reads as follows:

"Failure to comply with Section 3.8.2 (1) and (2) shall preclude any consideration of the warrant article by the Town Meeting unless otherwise voted by a majority of the Town Meeting."

Motion to Amend Defeated

Standing vote on the main motion: YES – 99; NO – 38 Motion Carried

MOVED AND SECONDED that the meeting be adjourned until 7:30 P.M. on Monday, May 19, 2003.

Motion Carried

The meeting adjourned at 10:50 P.M.

ATTEST:

Carolyn Ward
Town Clerk

ADJOURNED ANNUAL REPRESENTATIVE TOWN MEETING

May 19, 2003

Pursuant to the vote of adjournment on April 28, 2003, the Town Meeting Members met at the High School Auditorium on Monday, May 19, 2003, notices having been sent to all members absent at the previous meeting.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kelly A. Davis of the Office of the Town Clerk and M. Catherine Davis of the Office of the Town Treasurer and Janice A. Byford of the Office of the Board of Health. The list contained the names of one hundred ninety-two Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred sixty-one (161) Town Meeting Members attended the meeting.

ARTICLE 2

To see if the Town will vote to authorize the Treasurer, with the approval of the Town Manager and the Board of Selectmen, to borrow money from time to time in anticipation of revenue for the fiscal year beginning July 1, 2003 in accordance with Massachusetts General Law, Chapter 44, Section 4 as amended and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with the provisions of Massachusetts General Law, Chapter 44, Section 17, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town authorize the Treasurer, with the approval of the Town Manager and the Board of Selectmen, to borrow money from time to time in anticipation of revenue for the fiscal year beginning July 1, 2003 in accordance with M. G. L., c.44, § 4 as amended and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with the provisions of Massachusetts General Law, Chapter 44, Section 17.

Motion Carried

ARTICLE 3

To see if the Town will vote to authorize the Treasurer to enter into compensating balance agreements during the fiscal year beginning July 1, 2003, as permitted by Massachusetts General Law, Chapter 44, Section 53F, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town vote to authorize the Treasurer to enter into compensating balance agreements during the fiscal year beginning July 1, 2003, as permitted by M. G. L., c.44, § 53F.

Motion Carried

ARTICLE 9

To see if the Town will vote to accept the provisions of M.G.L. c.59 § 2A, which permits the Town to assess as of January 1st of each year, new construction erected on or affixed to land during the period January 1st to June 30th of the prior fiscal year, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town vote to accept the provisions of M.G.L. c.59 § 2A.

Motion Carried

ARTICLE 10

To see if the Town will vote to hear and act on the report of the Personnel Board and take any action in connection with recommendations as to wages and salaries, working conditions, new or revised rates of wages and salaries, changes, additions, adjustments or revisions of wages and salaries and in classifications and definitions, and in amending, revising and adding to the Personnel Policy Guide as well as in other matters thereto related; and to raise and appropriate money for any adjustments or revisions of wages and salaries of employees in consideration of any adjustments or revisions of wages and salaries of employees not subject to collective bargaining agreements or in any job classifications, and to provide for salary or wage adjustments not otherwise provided for, said monies to be expended by the departments affected; determine in what manner the monies shall be raised by taxation or otherwise, or take any other action in relation thereto.

(Personnel Board)

MOVED AND SECONDED, that consideration of Article 10 be postponed to time certain, that time being the next town meeting session seven days from today.

Motion to Postpone Carried

ARTICLE 11

To see if the Town will vote to authorize the Planning Board to employ a full time professional to perform the duties and responsibilities set forth in the position description "Town Planner" as more fully described in the Personnel Board article pending before the Town Meeting, to authorize the Planning Board to set the compensation for the "Town Planner" within the guidelines set by the Personnel Board for the position and to raise and appropriate, or appropriate and transfer from available funds, a sum of money for said purpose, or take any other action in relation thereto.

(Planning Board)

MOVED AND SECONDED, that consideration of Article 11 be postponed until after consideration of Article 10.

Motion to Postpone Carried

ARTICLE 12

To see if the Town will raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Town for the financial period beginning July 1, 2003 and especially for or relating to all or any of the officers, boards or departments and for all purposes authorized by law, vote to fix the salary and compensation of all elective officers of the Town as provided in Massachusetts General Law, Chapter 41, Section 108 as amended, or take any other action in relation thereto.

(Finance Committee)

MOVED AND SECONDED that the Town appropriate and transfer $1,896,250 into the Building Renovation/Reconstruction Stabilization Fund.

Motion Carried

M0VED AND SECONDED that the Town appropriate and transfer $820,000 into the Capital Improvements Stabilization Fund.

Motion Carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Personal Services	Other Expenses
$ 446,908	1210 Town Manager	400,918	45,990

Motion Carried

MOVED AND SECONDED, that the following budgets be appropriated:

Total	Account	Personal Services	Other Expenses	Equipment
$ 5,950	1310 Finance Committee	2,500	3,450	
$ 238,302	1330 Comptroller	236,152	2,150	
$ 228,059	1340 Assessors	183,459	44,600	
$ 217,828	1350 Collector/Treasurer	183,848	32,580	1,400

Motion Carried

MOVED AND SECONDED, that the following budgets be postponed until after Article 11.

1410 Planning & Community Development and 1400 Planning Board

Motion to postpone Carried

MOVED AND SECONDED, that the following budgets be appropriated:

Total	Account	Personal Services	Other Expenses	Equipment
$ 105,000	1540 General Services		105,000	
$ 287,289	1610 Town Clerk	246,164	40,625	500

Motion Carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Personal Services	Other Expenses
$1,313,157	6110 Library	1,051,271	261,886

MOVED AND SECONDED that $9,000 be added to Personal Services, in order to keep the Library open on Saturdays.

Motion to Amend Defeated
Main Motion Carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Other Expenses
$ 15,000	6211 Recreation	15,000

Motion Defeated

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Other Expenses
$ 600	6940 Archival Center	600

Motion Carried

MOVED AND SECONDED, that the following budgets be appropriated:

Total	Account	Personal Services	Other Expenses	Equipment
$ 189,586	5410 Council on Aging	175,474	11,112	3,000
$ 15,823	5420 Veterans' Services	6,894	8,929	

Motion Carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Personal Services	Other Expenses

$ 163,201	5110 Board of Health	109,921	53,280

The following persons were appointed as Tellers and sworn to the faithful performance of their duties: David G. Leland, Bradley C. Ross, Joshua M. Alper, and V. James Patalano.

MOVED AND SECONDED to increase Other Expenses by $6,000

StandingVote Yes 102 No 43 Motion to amend carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Personal Services	Other Expenses
$ 169,201	5110 Board of Health	109,921	59,280

Motion Carried

MOVED AND SECONDED, that the following budgets be appropriated:

Total	Account	Personal Services	Other Expenses	Equipment	Other Source of Funding
$ 3,353,842	2110 Police Dept	3,172,192	126,650	55,000	$50,000 from Parking Meter Fund
$ 2,843,205	2210 Fire Dept	2,642,455	168,750	32,000	
$ 7,026	2420 Weights & Measures	5,676	1,350		

Motion Carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Personal Services	Other Expenses
$ 191,776	4111 DPW Administration	172,676	19,100

MOVED AND SECONDED to amend the main motion by substituting the following:

Total	Account	Personal Services	Other Expenses	Equipment	Other Source of Funding
$4,399,371	4100 Dept of Public Works	3,259,656	1,129,315	10,400	76,500 from Cemetery Permanent Care Fund

Standing Vote on the Amendment YES – 86; NO – 46

Motion to Amend Carried

MOVED AND SECONDED to amend the main motion by substituting the following:

Total	Account	Personal Services	Other Expenses	Equipment	Other Source of Funding
$4,501,858	4100 Dept of Public Works	3,307,568	1,183,890	10,400	76,500 from Cemetery Permanent Care Fund

Standing Vote on the Amendment YES – 80; NO – 52

Motion to Amend Carried
Main Motion Voted as Amended

MOVED AND SECONDED, that the following budgets be postponed to first order of business on May 22, 2003: 3110 Education and 3610 Vocational School.

Motion to Postpone carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Other Expenses
$1,850,000	1910 Energy	1,850,000

Motion Carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Other Expenses	Other Source of Funding
$1,267,500	1810 NESWC	1,267,500	$291,000 from NESWC Stabilization Fund

Standing Vote (2/3 required for passage) YES – 134; NO - 1

Motion Carried

MOVED AND SECONDED that the meeting be adjourned until 7:30 P.M. on Thursday, May 22, 2003.

Motion Carried

The meeting adjourned at 10:30 P.M.

ATTEST:

Kathleen Cramer
Assistant Town Clerk

ADJOURNED ANNUAL REPRESENTATIVE TOWN MEETING

May 22, 2003

Pursuant to the vote of adjournment on May 19, 2003, the Town Meeting Members met at the High School Auditorium on Thursday, May 22, 2003, notices having been sent to all members absent at the previous meeting.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kelly A. Davis of the Office of the Town Clerk and M. Catherine Davis of the Office of the Town Treasurer. The list contained the names of one hundred ninety-two Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred sixty-two (162) Town Meeting Members attended the meeting.

The meeting began at 7:40 PM.

ARTICLE 12 (continued)

MOVED AND SECONDED that the following budget be appropriated:

Total	Account
$24,734,703	3110 Education

MOVED AND SECONDED that the amount be reduced by $42,000.

Motion to Amend Carried

VOTED that the following budget as amended be appropriated:

Total	Account
$24,692,703	3110 Education

Motion Carried

MOVED AND SECONDED that the following budget be appropriated:

Total	Account
$118,479	3610 Vocational School

Motion Carried

MOVED AND SECONDED that the following budget be appropriated:

Total	Account	Other Expenses
$44,265	1360 Audit	$44,265

Motion Carried

MOVED AND SECONDED that the following budget be appropriated:

Total	Account	Other Expenses
$230,000	1510 Legal	$230,000

Motion Carried

MOVED AND SECONDED that the following budgets be appropriated:

Total	Account	Personal Services	Other Expenses
$ 350,365	1530 Data Processing	$107,366	$ 242,999
$4,262,490	7110 Funded Debt		$4,262,490
$1,843,704	7120 Interest on Debt		$1,843,704
$ 1,000	7140 Tax Abatement Interest		$ 1,000

Motion Carried

MOVED AND SECONDED that the following budget be appropriated:

Total	Account	Personal Services	Other Expenses
$2,131,702	9110 Contributory Retirem't	$59,400	$2,072,302

Motion Carried

MOVED AND SECONDED that the following budgets be appropriated:

Total	Account	Personal Services	Other Expenses
$ 300,000	9120 Workers' Comp	$ 7,125	$ 292,875
$ 45,000	9130 Unemployment Comp		$ 45,000
$5,061,065	9140 Health Insurance		$5,061,065
$ 507,080	9150 FICA/Medicare Tax and Refunds		$ 507,080
$ 74,400	9170 Non-Contributory Retirement		$ 74,400
$ 57,750	9180 Public Safety Medical Coverage		$ 57,750
$ 300,000	9430 Reserve Fund		$ 300,000
$ 225,000	9450 General Insurance		$ 225,000
$ 91,400	9460 Environmental Remediation Services		$ 91,400

Motion Carried

MOVED AND SECONDED that the following budget be appropriated:

Total	Account	Other Expenses	Other Source of Funding
$50,000	9380	Building	of which $42,000 is transferred from the following

Envelope Study	accounts: #935-$759, #9348-$245, #9352-$3685, #9376-$3770, #9364-$6950, #9375-$21,731 and #9386-$4,860

Motion Carried

MOVED AND SECONDED that the following budget be appropriated:

Total	Account	Other Expenses
$20,000	9381 Transfer Station Study/Design	$20,000

Motion Carried

MOVED AND SECONDED that the following budget be appropriated:

Total	Account	Other Expenses	Other Source of Funding
$68,500	9382 Cemetery Building Improvements	$68,500	of which $68,500 is from Cemetery Permanent Care

Motion Carried

MOVED AND SECONDED that the following budgets be appropriated:

Total	Account	Other Expenses	Other Source of Funding
$175,000	9383 Roadway Improvements/Sidewalks	$175,000	of which $175,000 is from the Capital Improvements Stabilization Fund
$185,000	9384 McDonald Field Reconstruction	$185,000	of which $185,000 is from the Capital Improvements Stabilization Fund

Motion Carried by Voice Vote
Declared by the Moderator to be Unanimous

MOVED AND SECONDED that the following budget be appropriated:

Total	Account	Other Expenses	Other Source of Funding
$180,000	9385 Major HVAC System Replacement	$180,000	of which $180,000 is from the Capital Improvements Stabilization Fund

Motion Carried by Voice Vote
Declared by the Moderator to be Unanimous

ARTICLE 13

To see if the Town will vote to appropriate a sum of money for the following purposes:

Department	Purpose
DPW-School	**High School Fire Alarm Design**
DPW-Equipment	**Fork lift**
Police-Communications	**Q Station for Radio System**
	Satellite Receivers
	Main Repeater
Fire	**Alarm Truck**
School	**WHS – Networking**
Fire	**Traffic Pre-Emption Devices**

and to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town vote to appropriate $272,000 in the following amounts for the following purposes:

Department	Purpose	Amount
DPW-School	High School Fire Alarm Design	$ 30,000
DPW-Equipment	Fork lift	$ 24,000
Police-Communications	Q Station for Radio System	$ 45,500
	Satellite Receivers, Main Repeater	
Fire	Alarm Truck	$130,000
School	WHS – Networking	$ 25,000
Fire	Traffic Pre-Emption Devices	$ 17,500

and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow $272,000 under M.G.L. c.44 or any other enabling authority.

Voice Vote Declared by the Moderator to be Unanimous

ARTICLE 14

To see if the Town will raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Water and Sewer Division of the Department of Public Works for the fiscal year beginning July 1, 2003, and to appropriate and transfer free cash into the Water Sewer Enterprise Account, or take any other action in relation thereto.

(Finance Committee)

Water & Sewer Operating Budget

MOVED AND SECONDED that the following budgets be appropriated:

Total	Account	Personal Services	Other Expenses	Equip	Other Source of Funding
$207,894	4410 General Gov't	$115,094	$ 92,800		Water & Sewer Enterprise Fund
$ 138,342	4420 DPW Admin	$138,342			" "
$ 48,476	4430 DPW Maint	$ 21,376	$ 27,100		" "
$ 10,361	4440 DPW Bldgs		$ 10,361		" "
$1,830,142	4450 Sewer Oper	$309,609	$1,520,033	$1,500	" "
$1,392,742	4460 Water Oper	$617,183	$ 775,559		$294,146 from Water Treatment Plant Reimbursement Account and the balance From Water & Sewer Enterprise Fund
$ 533,995	4470 Employee Benefits		$ 533,995		Water & Sewer Enterprise Fund
$ 199,967	4480 Funded Debt		$ 199,967		" "
$ 25,000	4490 Insurance		$ 25,000		" "

Motion Carried

Water & Sewer Capital Budget
MOVED AND SECONDED that the following budgets be appropriated:

Total	Account	Other Expenses	Equip	Other Source of Funding
$35,000	9392 Computer Conversion	35,000		Water & Sewer Revenue
$27,000	9393 Rod Machine		$27,000	" " "
$38,000	9394 Pickup Truck #5		$38,000	" " "
$38,000	9395 Pickup Truck #20		$38,000	" " "

Motion Carried

ARTICLE 15

To see if the Town will vote to amend the water and sewer rates currently in effect in accordance with Chapter 7, Section 3 of the Code of By-laws, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED, that consideration of Article 10 be postponed to time certain, 3rd order of business on May 29, 2003.

Motion to Postpone Carried

ARTICLE 16

To see if the Town will raise and appropriate any sums of money to be used with such sum or sums as may be made available from the State Highway Fund or allotted by the County Commissioners for maintenance, repair, alteration, relocation or other improvements of Town or County ways, together with the acquisition of easements for the payment of damages and expenses in connection therewith, as well as to authorize the transfer and use for said purposes of any unused balances, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town be authorized to accept and expend funds from the Commonwealth of Massachusetts State Highway Fund for maintenance, repair, alteration, relocation and other improvements to Town ways and/or purchase of equipment, acquisition of easements and payments of damages and expenses in connection therewith and to authorize the transfer and use for said purposes of any unused balances.

Motion Carried

ARTICLE 17

To see if the Town will vote to continue a revolving fund in accordance with Massachusetts General Law, Chapter 44, Section 53 1/2, in order to receive monies, grants or gifts and fees charged for health and vaccine clinics sponsored by the Board of Health, and further, to authorize the Board of Health to administer and expend funds received in FY2004, or take any other action in relation thereto.

(Board of Health)

MOVED AND SECONDED that the Town vote to continue a revolving fund in accordance with M.G.L. c.44, § 53E ½, in order to receive monies, grants, gifts and fees charged for health and vaccine clinics sponsored by the Board of Health, and further, to authorize the Board of Health to administer and expend funds received in FY2004 up to a limit of $10,000.

Motion Carried

ARTICLE 18

To see if the Town will vote to continue a revolving fund in accordance with Massachusetts General Law, Chapter 44, Section 53E 1/2 in order to receive monies, grants or gifts and fees charged for recreation services sponsored by the Recreation Department, and further, to authorize the Recreation Department to administer and expend funds received in FY2004, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town vote to continue a revolving fund in accordance with M.G.L. c.44, § 53 E ½, in order to receive monies, grants, gifts and fees charged for recreation

services sponsored by the Recreation Department and further, to authorize the Recreation Department to administer and expend funds received in FY2004 up to a limit of $350,000.

Motion Carried

ARTICLE 19

To see if the Town will vote to continue a revolving fund, in accordance with Massachusetts General Law, Chapter 44, Section 53E 1/2, set up from proceeds received from the sale of recyclables collected at the Town's Transfer Station, and further, to authorize the Department of Public Works to expend funds received in FY2004, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town vote to continue a revolving fund in accordance with M.G.L. c.44, § 53E ½ in order to receive the proceeds from the sale of recyclables collected at the Town's Transfer Station and further to authorize the Department of Public Works to administer and expend funds received in FY2004 up to a limit of $20,000.

Motion Carried

ARTICLE 20

To see if the Town will vote to continue a revolving account, in accordance with Massachusetts General Law, Chapter 44, Section 53E 1/2, known as the Water and Sewer Demand Fee Account, in order to receive fees charged for new water and sewer connections and further to authorize the Department of Public Works to administer and expend funds in FY2004, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town vote to continue a revolving fund in accordance with M.G.L. c.44, § 53E ½, known as the Water and Sewer Demand Fee Account in order to receive fees charged for new water and sewer connections and further to authorize the Department of Public Works to administer and expend funds up to $100,000 in FY2004 for the purpose of making improvements and increasing capacity in order to meet increased demand.

Motion Carried

ARTICLE 21

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the purpose of hiring a licensed hazardous waste company to conduct one or more household hazardous waste collection days at the Department of Public Works garage or other sites as deemed appropriate, or take any other action in relation thereto.

(Board of Health)

MOVED AND SECONDED that $14,000 be raised and appropriated for the purpose of hiring a licensed hazardous waste disposal company to conduct one or more household hazardous waste collection days at the Department of Public Works garage or other sites as deemed appropriate.

Motion Carried

ARTICLE 22

To see if the Town will vote to accept the provisions of Chapter 4 §73 of the Acts of 2003 which allows the Town to establish a Municipal Tax Amnesty program and to determine the amnesty period, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that Article 22 be indefinitely postponed

Motion Carried

ARTICLE 23

To see if the Town will petition The General Court for authority to allow the Town to declare as a municipal tax and other assessment as defined in G.L. c.60 §23 and to set forth on its municipal lien certificates any outstanding charges owed to the Town, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town authorize the Board of Selectmen to file a home rule petition in substantially the following form:

AN ACT TO AUTHORIZE THE TOWN OF WINCHESTER TO LIEN CERTAIN OUTSTANDING CHARGES OWED THE TOWN

Be it enacted by the House and Senate as follows:

Section 1: The Town of Winchester is authorized to declare as a municipal tax and other assessment as defined in G.L. c.60 §23 and to set forth on its municipal lien certificates any outstanding charges owed to the Town.

Section 2: This Act shall take effect upon its passage.

Motion Carried

ARTICLE 24

To see if the Town will vote to accept the provisions of M.G.L. Chapter 40, Section 57 providing for the revocation or suspension of licenses and permits for failure to pay municipal taxes or charges, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Town accepts the provisions of M.G.L. c.40, § 57 providing for the revocation or suspension of licenses and permits for failure to pay municipal taxes or charges.

TEXT OF LAW:

CHAPTER 40. POWERS AND DUTIES OF CITIES AND TOWNS.

Chapter 40: Section 57. Local licenses and permits; denial, revocation or suspension for failure to pay municipal taxes or charges.

Section 57. Any city or town which accepts the provisions of this section, may by by-law or ordinance deny any application for, or revoke or suspend a building permit, or any local license or permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise, who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, including amounts assessed under the provisions of section twenty-one D or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges. Such by-law or ordinances shall provide that:

(a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

(b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the

purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

(c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(d) The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

A city or town may exclude any local license or permit from this section by by-law or ordinance.

Motion Carried

ARTICLE 25

To see if the Town will vote to authorize the Winchester School Committee to enter into lease agreements with the Town of Winchester Recreation Department and the Winchester After School Program for a term of years providing space at the Mystic School, a school building not in actual use, or take any other action in relation thereto.

(School Committee)

MOVED AND SECONDED, that the Town authorize the Winchester School Committee to enter into lease agreements with the Town of Winchester Recreation Department and the Winchester After School Program for a term not to exceed 10 years providing space at the Mystic School, a school building not in actual use.

MOVED AND SECONDED to amend the main motion by the addition of the following language: " Such lease agreement will contain Tenant Covenants to make all reasonable efforts to maintain the quiet atmosphere of the Mystic School neighborhood, including but not limited to the following:

- Maximizing the usage of Mystic School's off street parking.
- Maximizing the usage of building entranceways adjacent to such off street parking.
- Quarterly meetings with the neighborhood to discuss operational items such as parking, building access, program hours and other items as appropriate."

Motion to Amend Carried

VOTED, that the Town authorize the Winchester School Committee to enter into lease agreements with the Town of Winchester Recreation Department and the Winchester After School Program for a term not to exceed 10 years providing space at the Mystic School, a school building not in actual use.

Such lease agreement will contain Tenant Covenants to make all reasonable efforts to maintain the quiet atmosphere of the Mystic School neighborhood, including but not limited to the following:

- Maximizing the usage of Mystic School's off street parking.
- Maximizing the usage of building entranceways adjacent to such off street parking.
- Quarterly meetings with the neighborhood to discuss operational items such as parking, building access, program hours and other items as appropriate.

Majority Voice Vote

ARTICLE 26

To see if the Town will vote to increase from $500 to $750 the amount qualified persons over 60 years of age may receive in a reduction of their real estate taxes in any given year in exchange for community service work in accordance with M.G.L. c. 59 § 5K, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that the allowance be increased from $500 to $750 for qualified elderly persons to receive a reduction of their real estate taxes in any given year in exchange for community service work in accordance with M.G.L. c.59 § 5K.

Motion Carried

ARTICLE 27

To see if the Town will vote to accept the provisions of G.L. Chapter 32B § 18 which provides that all retirees, their spouses, and dependents who are enrolled in or eligible for coverage under Medicare Part A at no cost to them be required to enroll in a Medicare health benefits supplement plan offered by the Town, or take any other action in relation thereto.

May 22, 2003

(Town Manager)

MOVED AND SECONDED to accept the provisions of M.G.L. c.32B § 18.

Motion Carried

MOVED AND SECONDED that the meeting be adjourned until 7:30 P.M. on Thursday, May 29, 2003.

Motion Carried

The meeting adjourned at 10:30 P.M.

ATTEST:

Kathleen Cramer
Assistant Town Clerk

ADJOURNED ANNUAL REPRESENTATIVE TOWN MEETING

Thursday May 29, 2003

Pursuant to the vote of adjournment on May 22, 2003, the Town Meeting Members met at the High School Auditorium on Thursday, May 29, 2003, notices having been sent to all members absent at the previous meeting.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kelly A. Davis of the Office of the Town Clerk and Regina M. Capone of the Office of the Town Assessor. The list contained the names of one hundred ninety-two Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred sixty-two (162) Town Meeting Members attended the meeting.

The meeting began at 7:40 PM.

ARTICLE 10

To see if the Town will vote to hear and act on the report of the Personnel Board and take any action in connection with recommendations as to wages and salaries, working conditions, new or revised rates of wages and salaries, changes, additions, adjustments or revisions of wages and salaries and in classifications and definitions, and in amending, revising and adding to the Personnel Policy Guide as well as in other matters thereto related; and to raise and appropriate money for any adjustments or revisions of wages and salaries of employees in consideration of any adjustments or revisions of wages and salaries of employees not subject to collective bargaining agreements or in any job classifications, and to provide for salary or wage adjustments not otherwise provided for, said monies to be expended by the departments affected; determine in what manner the monies shall be raised by taxation or otherwise, or take any other action in relation thereto.

(Personnel Board)

Motion 1 - Amendment to Position Classifications

MOVED AND SECONDED that the compensation plan be amended and that the reclassifications, as recommended by the Personnel Board, be approved and become effective as of July 1, 2003. Said classifications/reclassifications are shown in Appendix A.

The following persons were appointed as tellers and sworn to the faithful performance of their duties: John S. Cleary, Marion G. Crandall, John W. Lowey, and Robert L. Johnson.

Standing Vote: YES – 63; NO – 88 Motion Defeated

MOVED AND SECONDED that the compensation plan be amended and that the reclassifications, as recommended by the Personnel Board, be approved and become effective as of July 1, 2003, as shown in Appendix A, with the deletion of:

Planning Board Planner PT-12 and Town Manager's Development and Planning Coordinator PT-13.

Motion Carried

Appendix A
Position Title Changes and Reclassification/Classifications

1. S-Grades (Union Clerical) - Schedule 1

   The part-time Senior Clerk I, S-24, position in the Assessor Office was reclassified by the Personnel Board to Senior Clerk II, S-25.

   The Administrative Secretary I, S-26 position in the Board of Health Office was reclassified by the Personnel Board to Administrative Secretary II, S-27.

   These positions were reclassified to reflect expanded duties and responsibilities.

2. CS-Grades (Clerical Secretary) (Non-Union) - Schedule 2

   The Personnel Board reviewed the duties and responsibilities of the Administrative Secretary II, position, CD-9 (temporary) in the Town Manger's Office and approved a change in classification from temporary to regular. This change will provide benefits to this position. This position has been filled by the same individual for several years and is responsible for preparing the Board of Selectmen's minutes.

3. Professional Technical – Schedule 3

   Add: Administrative Coordinator PT –12
   Building Inspector PT-13

   The Administrative Secretary III, CS-10 in the Town Manager's Office was reclassified by the Personnel Board to Administrative Coordinator, PT-12. The position was reclassified to reflect various additional administrative duties in the areas of budgeting and purchasing and the addition of supervisory responsibilities.

   The Building Inspector position (temporary) PT-13 was classified by the Personnel Board to Building Inspector position (regular part-time) PT-13. This would provide benefits to this position. Previously, the Wiring Inspector's position was full-time (regular) and functioned as both wiring and building inspector. Several years ago this full-time position was temporarily split into two part-time positions, both 20 hours per week.

4. Miscellaneous - Schedule 5

   Delete:

Library Junior Page	Minimum = $ 6.93	Mid = $ 7.81	Maximum $ 8.67
Library Senior Page	Minimum = $ 9.53	Mid = $10.40	Maximum $ 11.26

Add:	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Library Junior Page:	6.93	7.22	7.51	7.81	8.09	8.38	8.67
Library Senior Page:	9.53	9.82	10.11	10.40	10.69	10.98	11.26

MOVED AND SECONDED that further consideration of Articles 10,11,12 and 15 be postponed until after consideration of Article 28.

Motion Carried

ARTICLE 28

To see if the Town will petition the General Court for a special act which would require the Town to assess a tax on the transfer of real estate within the Town, such tax to be 2% of the gross selling price and to be payable by either the Buyer or the Seller; and that the Board of Selectmen upon the passage of such a law take those steps required to assess such tax as may be permitted, or take any other action in relation thereto.

(School Committee)

MOVED AND SECONDED that the Town Meeting submit to the Senate and the House of Representatives of the General Court of the Commonwealth of Massachusetts a home rule petition seeking passage of an act in a form and manner which would allow the Town, upon the affirmative vote at a regular or special election at which the question was placed on the ballot, to assess a tax on the transfer of real estate within the Town, such tax to be 2% of the gross selling price, said petition to be in a form substantially as follows:

PROPOSED ACT ESTABLISHING LOCAL FUND FOR THE EDUCATIONAL AND MUNICIPAL BENEFIT OF THE TOWN OF WINCHESTER AND ITS RESIDENTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1

For purposes of this act, the words and phrases set forth in this section shall have the following meanings:

"Fund", "Winchester Municipal and Educational Fund", or "WINMEF", shall refer to the Winchester Municipal and Educational Fund established under the provisions of section two.

"Legal Representative", with respect to any person, shall mean any other person acting pursuant to a written power of attorney executed by such person; provided, however, that any affidavit

attesting to the true and complete purchase price of real property, submitted to the Town Treasurer pursuant to section six, may also be signed on behalf of such person by an attorney admitted to practice in the Commonwealth.

"Purchaser", the transferee, grantee, or recipient of any real property interests.

"Purchase Price", all consideration paid or transferred by or on behalf of a purchaser to a seller or his nominee, or for his benefit, for the transfer of any real property interest, and shall include, but not limited to, all cash or its equivalent so paid or transferred, all cash or other property paid or transferred by or on behalf of the purchaser to discharge or reduce any obligation of the seller; the principal amount of all notes or their equivalent, or other deferred payments, given or promised to be given by or on behalf of the purchaser to the seller or his nominee; the outstanding balance of all obligations of the seller which are assumed by the purchaser or to which the real property interest transferred remains subject after the transfer, determined at the time of transfer but excluding real estate taxes and other municipal liens or assessments which are not overdue at the time of transfer; and the fair market value at the time of transfer of any other consideration or thing of value paid or transferred by or on behalf of the purchaser, including, but not limited to, any property, goods or services paid, transferred or rendered in exchange for such real property interest.

"Real property interest", any present or future legal or equitable interest in or to real property, and any beneficial interest therein, including the interest of any beneficiary in a trust which holds any legal or equitable interest in real property, but shall not include any interest which is limited to any or all of the following: the dominant estate in any easement or right of way; the right to enforce any restriction; any estate at will or at sufferance, and any estate for years having a term of less than thirty years; the reversionary right, condition, or right of entry for condition broken; the interest of a mortgagee or other secured party in any mortgage or security agreement; and the interest of a stockholder in a corporation, or a partner in a partnership, unless any real property interest has been transferred to such corporation or partnership for the purpose of evading the fee-imposed by section six.

"Seller", the transferor, grantor or immediate former owner of any real property interests.

"Time of transfer", of any real property interest shall mean, the time at which such transfer is legally effective as between the parties thereto, and, in any event, with respect to a transfer evidenced by an instrument recorded with the appropriate registry of deeds or filed with the assistant recorder of the appropriate registry district, not later than the time of such recording or filing.

SECTION 2.
There is hereby established a Winchester Municipal and Educational Fund to be administered by the Board of Selectmen, for the purpose of supporting and funding the municipal and educational operating needs and expenses of the Town of Winchester.

SECTION 3.

The Board of Selectmen shall report to the Spring Town Meeting each year the amounts collected by WINMEF during the preceding calendar year and shall submit, for approval by a majority vote of the Town Meeting, those amounts sought to be appropriated for the next fiscal year and the purposes for which they will be expended. Appropriations from WINMEF shall be based only on funds collected and received.

SECTION 3A.
WINMEF and all its revenues and income shall be used solely in furtherance of its public purposes, shall be exempt from taxation and from betterments and special assessments and WINMEF shall not be required to pay any tax, excise or assessment to or for the Commonwealth or any of its political subdivisions. Bonds and notes issued by WINMEF, their transfer and the income there from, including any profit made on the sale thereof, shall at all times be exempt from taxation within the Commonwealth. The provisions of Section twenty-seven C of Chapter twenty-nine of the General Laws shall not apply to this section or any other provision of this chapter.

SECTION 4.
WINMEF shall be established as a revolving or sinking account within the treasury of the Town of Winchester. Deposits into the fund shall include (a) funds appropriated, borrowed, or transferred to be deposited into the fund by vote of the Town Meeting (b) voluntary contributions of money and other liquid assets to the fund; and (c) revenues from fees imposed upon the transfer of real property interests as set forth in section six occurring after the effective date of this act as set forth in section twelve, together with payments of interest and penalties under section nine. Grants or gifts of money or other assets to WINMEF shall be expended only for the purpose of the grant or gift and subject to any restrictions or limitations imposed thereon by the grantor or donor thereof. The Treasurer of Winchester shall prudently invest available assets of the fund in accordance with the regulations and procedures adopted by the Board of Selectmen and all income thereon shall accrue to the fund.

SECTION 5.
The Treasurer shall keep a full and accurate account of the accounts of WINMEF including a record as to when, from or to whom, and on what account money has been paid or received relative to this act. Said records or accounts shall be subject to examination by the director of accounts or his agent pursuant to Section forty-five of Chapter thirty-five of the General Laws.

SECTION 6
There is hereby imposed a fee equal to two percent of the purchase price upon the transfer of any real property interest in any real property situated in the Town of Winchester. The fee percentage may be reduced by a two-thirds vote in favor of such reduction at the annual Town Meeting. Said fee shall be the liability of the purchaser of such real property interest, any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser.

Such fee shall be paid to WINMEF, and shall be accompanied by a copy of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the pains and penalties of perjury by the purchaser or his legal representative, attesting to the true

and complete purchase price and the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby.

The Treasurer or his or her designee, shall promptly thereafter execute and issue a certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the exemption.

The register of deeds for the county of Middlesex, and the assistant recorder for the registry district, shall not record or register, or receive or accept for recording or registration, any deed, except a mortgage deed, relative to a real property interest in land situated in Winchester to which has not been affixed such a certificate, executed by the Treasurer of the Town of Winchester.

Failure to comply with this requirement shall not affect the validity of any instrument.

The Treasurer shall deposit all fees received into WINMEF as established by section two hereunder. The fee imposed hereunder shall be due simultaneously with the time of transfer upon which it is imposed.

SECTION 7

At any time within seven days following the issuance of the certificate of payment of the fee imposed by section six, the purchaser or his legal representative may return said certificate to the Treasurer or his or her designee for cancellation, together with an affidavit signed under oath or under the pains and penalties of perjury that the transfer, with respect to which such certificate was issued, has not been consummated, and thereupon the fee paid with respect to such transfer shall be forthwith returned to the purchaser or his legal representative.

SECTION 8.

The following transfer of real property interests shall be exempt from the fee established by section six.

Except as otherwise provided, the purchaser shall have the burden of proof that any transfer is exempt hereunder:

a. transfers to the government of the United States, the commonwealth, and any of their instrumentalities, agencies or subdivisions;

b. transfers which, without additional consideration, confirm, correct, modify or supplement a transfer previously made;

c. transfers made as gifts without consideration; in any proceeding to determine the amount of any fee due hereunder, it shall be presumed that any transfer for consideration of less than fair market value of the real property interests transferred was made as a gift without consideration to the extent of the difference between the fair market value of the real property interests transferred and the amount of consideration claimed by the purchaser to have been paid or transferred, if the purchaser shall have been at the time of the transfer the spouse, lineal descendent, or the lineal ancestor of the seller, by blood or adoption, and otherwise it shall be presumed that consideration was paid in an amount equal to the fair

market value of the real property interests transferred, at the time of transfer;

d. transfer to the trustees of a trust in exchange for a beneficial interest received by the seller in such trust; distributions by the trustees of a trust to the beneficiaries of such trust;

e. transfers by operation of law without actual consideration, including but not limited to transfers occurring by virtue of the death or bankruptcy of the owner of a real property interest;

f. transfers made in partition of land and improvements thereto, under the provisions of chapter two hundred and forty-one of the General Laws;

g. transfers to any charitable organization as defined in clause third of section five of chapter fifty-nine of the General Laws, or any religious organization, provided that the real property interests so transferred shall be held by the charitable or religious organization solely for its public, charitable or religious purposes;

h. transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee, and transfers of the property subject to a mortgage to the mortgagee in consideration of the forbearance of the mortgagee from foreclosing said mortgage;

i. transfers made to a corporation or partnership at the time of its formation, pursuant to which transfer no gain or loss is recognized under the provisions of section three hundred and fifty-one of the Internal Revenue Code of 1954;

j. transfers made to a stockholder of a corporation in liquidation of the corporation, and transfers made to a partner of a partnership in dissolution of the partnership;

k. transfers consisting of the division of marital assets under the provision of section thirty-four of chapter two hundred and eight of the General Laws or other provisions of law; and

l. transfers of property consisting in part of real property interests situated within Winchester and in part of other property interests, to the extent that the property that is transferred consists of property other than real property situated in Winchester provided that the purchaser shall furnish the Treasurer with such information as he or she shall require or request in support of the claim of exemption and manner of allocation of the consideration for such transfers.

SECTION 9

A purchaser who fails to pay all or any portion of the fee established by section six on or before the time when the same is due shall be liable for the following additional payments in addition to said fee:

a. Interest. The purchaser shall pay interest on the unpaid amount of the fee to be calculated from the time of transfer at a rate equal to fourteen percent per annum.

b. Penalties. Any person who, without fraud or willful intent to defeat or evade a fee imposed by this act, fails to pay all or a portion of the fee within thirty days after the time of transfer, shall pay a penalty equal to five per cent of the outstanding fee as determined by the Treasurer for each month or portion thereof thereafter that the fee is not paid in full; provided, however, that in no event shall the amount of any penalty imposed hereunder exceed twenty-five per cent of the unpaid fee due at the time of transfer. Whenever the Treasurer determines that all or a portion of a fee due under this chapter was unpaid due to fraud with intent to defeat or evade the fee imposed by this chapter, a penalty equal to the amount of said fee as determined by the Treasurer shall be paid by the purchaser in addition to said fee.

SECTION 10.

(a) The Treasurer shall notify a purchaser by registered or certified mail of any failure to discharge in full the amount of the fee due under this act and any penalty or interest assessed. The Treasurer shall grant a hearing on the matter of the imposition of said fee, or of any penalty or interest assessed, if a petition requesting such hearing is received by the Treasurer within thirty days after the mailing of said notice. The Treasurer shall notify the purchaser in writing by registered or certified mail of his or her determination concerning the deficiency, penalty or interest within fifteen days after said hearing. Any party aggrieved by a determination of the Treasurer concerning a deficiency, penalty or interest may after payment of said deficiency, appeal to the district or superior court within three months after the mailing of notification of the Treasurer. Upon the failure to timely petition for a hearing, or appeal to said courts, within the time limits hereby established, the purchaser shall be bound by the terms of the notification, assessment or determination, as the case may be, and shall be barred from contesting the fee, and any interest and penalty, as determined by the Treasurer.

All decisions of said courts shall be appealable. Every notice to be given under this section by the Treasurer shall be effective if mailed by certified or registered mail to the purchaser at the address stated in a recorded or registered instrument by virtue of which the purchaser holds any interest in land, the transfer of which gives rise to the fee which is the subject of such notice; and if no such address is stated or if such transfer is not evidenced by an instrument recorded or registered in the public records in the county of Middlesex, such notice shall be effective when so mailed to the purchaser in care of any person appearing of record to have a fee interest in such land, at the address of such person as set forth in an instrument recorded or registered in the county of Middlesex.

(b) All fees, penalties and interest required to be paid pursuant to this act shall constitute a personal debt of the purchaser and may be recovered in an action of contract or in any other appropriate action, suit or proceeding brought by the Treasurer; said action, suit or proceedings shall be subject to the provisions of chapter two hundred and sixty of the General Laws.

(c) If any purchaser liable to pay the fee established by this act neglects or refuses to pay the same, the amount, including any interest and penalty thereon, shall be a lien in favor of the Treasurer upon all property and rights to property, whether real or personal, belonging to such purchaser. Said lien shall arise at the time of transfer and shall continue until the liability for such amount is satisfied. Said lien shall in any event terminate not later than six years following the time of transfer. Said lien shall not be valid as against any mortgagee, pledge, purchaser or judgment creditor unless notice thereof has been filed by the Treasurer with respect to real

property or fixtures, in the registry of deeds for the county of Middlesex County, or (ii) with respect to personal property, in the office in which a security or financing statement or notice with respect to the property would be filed in order to protect a nonpossessory security interest belonging to the person named in the relevant notice, subject to the same limitation as set forth in section fifty of chapter sixty-two of the General Laws.

In any case where there has been a refusal or neglect to any fee, interest or penalties imposed by this act, whether or not levy has been made, the Treasurer in addition to other modes of relief, may direct a civil action to be filed in a district or superior court of the commonwealth to enforce the lien of the Treasurer under this section with respect to such liability or to subject any property of whatever nature, of the delinquent, or in which he has any right, title or interest to the payment of such liability.

The Treasurer may issue a waiver or release any lien imposed by this section with the approval of the Board of Selectmen of Winchester. Such waiver or release shall be conclusive evidence that the lien upon the property covered by the waiver or release is extinguished.

SECTION 11

This act, being necessary for the welfare of the town of Winchester and its inhabitants, shall be liberally construed to effect the purpose hereof.

SECTION 12

Acceptance of this act by the Town of Winchester shall be by an affirmative vote of a majority of the voters at any regular or special town election at which the question of acceptance has been placed on the ballot. This act shall become effective on the date which is ninety days following said affirmative vote.

SECTION 13

The acceptance of this act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election at which the question of revocation has been placed on the ballot by a two-thirds vote of the then sitting members of the Board of Selectmen. Revocation of the act shall become effective on the date which is ninety days following the said affirmative vote.

MOVED AND SECONDED, to amend the main motion so that the motion includes language that provides that proceeds from this new tax not be used for the operating budget and hence not for salaries for town employees.

Motion to Amend Defeated

Standing Vote on the Main Motion YES- 90 NO- 68 Main Motion Carried

MOVED AND SECONDED that the meeting be adjourned until 7:30 P.M. on Monday June 16, 2003.

Motion Carried

The meeting adjourned at 10:30 P.M.

ATTEST:

Kathleen Cramer
Assistant Town Clerk

ADJOURNED ANNUAL REPRESENTATIVE TOWN MEETING

Monday, June 16, 2003

Pursuant to the vote of adjournment on May 29 2003, the Town Meeting Members met at the High School Auditorium on Monday June 16, 2003 notices having been sent to all members absent at the previous meeting.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kelly A. Davis of the Office of the Town Clerk. The list contained the names of one hundred ninety-two Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred fifty-four (154) Town Meeting Members attended the meeting.

The meeting began at 7:35 PM

MOVED AND SECONDED, that Article 28 be reconsidered.

The Moderator announced that, in accordance with the Code of By-Laws, a motion for reconsideration would be considered as the first order of business at the next adjourned session of this meeting or, if this is to be the final session, as the last order of business.

ARTICLE 10
Motion 2 - Appropriation for Wage Adjustments

MOVED AND SECONDED that the Town raise and appropriate $606,091 to provide for the revision and adjustments in salaries and wages and other benefits for FY-04, as contained in the Town Compensation Plan and Personnel Policy Guide, as set forth and as agreed to in collective bargaining agreements or otherwise, and as detailed in the Personnel Board Report including Appendix A and further that of this amount be added to be held in account 100-1241 to be allocated by a subsequent Town Meeting vote.

Motion Carried

ARTICLE 11
To see if the Town will vote to authorize the Planning Board to employ a full time professional to perform the duties and responsibilities set forth in the position description "Town Planner" as more fully described in the Personnel Board article pending before the Town Meeting, to authorize the Planning Board to set the compensation for the "Town Planner" within the guidelines set by the Personnel Board for the position and to raise and appropriate, or appropriate and transfer from available funds, a sum of money for said purpose, or take any other action in relation thereto.

(Planning Board)

MOVED AND SECONDED, that further consideration of Article 11 be indefinitely postponed.

Motion Carried

ARTICLE 12 (continued from May 22, 2005)
To see if the Town will raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Town for the financial period beginning July 1, 2003 and especially for or relating to all or any of the officers, boards or departments and for all purposes authorized by law, vote to fix the salary and compensation of all elective officers of the Town as provided in Massachusetts General Law, Chapter 41, Section 108 as amended, or take any other action in relation thereto.

(Finance Committee)

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Personal Services	Other Expenses	Equip
$524,282	1410 Planning & Community Development	$457,842	$64,440	$2,000

Motion Carried

MOVED AND SECONDED, that the following budget be appropriated:

Total	Account	Other Expenses
$40,000	1400 Planning Board	$40,000

Motion Carried

ARTICLE 15
To see if the Town will vote to amend the water and sewer rates currently in effect in accordance with Chapter 7, Section 3 of the Code of By-laws, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that the Town vote to amend the water & sewer rates currently in effect in accordance with Chapter 7, Section 3 of the Town of Winchester Code of By-Laws. All bills issued on or after July 1, 2003 shall be in conformance with the following rates:

Residential Accounts (in accordance with Chapter 110)

Water:

0-15	Units Per Billing Period	$1.16	ccf
16-45	Units Per Billing Period	$2.92	ccf
Over 45	Units Per Billing Period	$4.70	ccf

Sewer:

0-15	Units Per Billing Period	$1.01	ccf
16-45	Units Per Billing Period	$3.32	ccf
Over 45	Units Per Billing Period	$5.30	ccf

Commercial/Industrial/Institutional

Water:

0-75	Units Per Billing Period	$3.92	ccf
Over 75	Units Per Billing Period	$4.67	ccf

Sewer:

0-75	Units Per Billing Period	$4.17	ccf
Over 75	Units Per Billing Period	$4.96	ccf

Motion Carried

ARTICLE 29

To see if the Town will vote to authorize the Board of Selectmen to accept as a gift from The Nordic Realty Trust, Charles A. Ferrari Trustee two parcels of vacant land located between Rock Avenue and the former railroad right-of-way popularly known as the Woburn Loop, containing 38,200± and 19,482± square feet, respectively, as more fully described on the map prepared by the Town of Winchester Assessors Department, Map 13, Block 43 and 45, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that the Town authorize the Board of Selectmen to accept as a gift from The Nordic Realty Trust, Charles A. Ferrari Trustee two parcels of vacant land located between Rock Avenue and the former railroad right-of-way popularly known as the Woburn Loop, containing 38,200± and 19,482± square feet, respectively, as more fully described on the map prepared by the Town of Winchester Assessors Department, Map 13, Block 43 and 45,

The acceptance shall be subject to following conditions and such other conditions as the Selectmen deem to be in the best interest of the Town.

(1) Submission by the donor or its consultants of documents to the Massachusetts Department of Environmental Protection in form and substance acceptable to the Board of Selectmen and its consultants establishing a Liability Endpoint for the Property under General Laws ch. 21E;
(2) Preparation by the donor or its consultants of a work plan for construction of a cap over ground surface of the Property, which work plan must be approved by the Board of Selectmen and its consultants;
(3) Implementation and completion of that work plan in a manner acceptable to the Board of Selectmen and its consultants;
(4) Recording of a deed notice concerning the presence of contamination and the cap on the Property;
(5) Request from the United States Environmental Protection Agency, a "cold comfort" letter concerning the status of the Property under the Federal Superfund program; and

Limitation of the use of the Property for passive and recreational public uses until further testing and approval by the Board of Selectmen and its consultants, and vote of the Town Meeting.

MOVED AND SECONDED, that further consideration of Article 29 be indefinitely postponed.

Motion Carried

ARTICLE 30

To see if the Town will vote to authorize The Board of Selectmen to purchase or accept as a gift from the Commonwealth of Massachusetts a certain parcel of State owned land, totaling 0.66± acres and the buildings situated thereon, located at 150 Cross Street, Winchester, Massachusetts, as shown on a site plan prepared by the Division of Capital Asset Management currently on file in the Town Manager's Office, to appropriate a sum of money for said purpose and to determine whether these funds shall be raised by borrowing or otherwise, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED to authorize the Board of Selectmen to accept as a gift from the Commonwealth of Massachusetts a certain parcel of State owned land, totaling 0.59 ± acres and the buildings situated thereon, located at 150 Cross Street, Winchester, Massachusetts, as shown on a site plan dated April 12, 2003, prepared by Robert E. Conway, P.E., Town Engineer.

Motion Carried

ARTICLE 31

To see if the Town vote to authorize the Board of Selectmen to file a home rule petition with the General Court authorizing the Board of Selectmen to accept the transfer of a certain parcel of State owned land totaling 0.66± acres and the buildings situated thereon, located at 150 Cross Street, Winchester, Massachusetts from the Commonwealth for nominal consideration or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED to authorize the Board of Selectmen to file a home rule petition with the General Court in substantially the following form:

AN ACT RELATIVE TO THE DISPOSITION OF CERTAIN STATE-OWNED LAND IN THE TOWN OF WINCHESTER

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same as follows:

Section 1. The Commissioner of Capital Planning and Operations is hereby authorized, notwithstanding the provisions of Sections 40E to 40J, inclusive, of Chapter 7 of the General Laws, to sell for nominal consideration of one dollar and convey by deed a parcel of State-owned land located in the Town of Winchester, formerly under the care and control of the Massachusetts Water Resources Authority, to the Town of Winchester, subject to the requirements of this act.

Said parcel is located at 150 Cross Street and is shown on a plan dated April 12, 2003, prepared by Robert E. Conway, P.E., Winchester Town Engineer. The above described parcel of land contains an area of 25,715+ square feet.

Section 2. The grantee's intended use shall be for permitted public purposes.

Section 3. The grantee of said parcel shall be responsible for the costs of any appraisals, surveys and other expenses to the transfer of said parcel deemed necessary by the Commissioner for the conveyance of said parcel.

Section 4. This act shall take effect upon passage.

Motion Carried

ARTICLE 32

To see if the Town will transfer or lease for an extended term to the Winchester Historical Society or its nominee, for such consideration as permitted by law and subject to a perpetual covenant or preservation restriction to protect and preserve the property for civic and historic purposes, a certain parcel of land with the buildings thereon situated known as the Sanborn House and Carriage House, said parcel being a portion of the land conveyed to the Town by deed of Religion of Christian Education, Inc. dated September 27, 1969 and recorded in Middlesex Deeds Book 11746 Page 468, the portion including all of the parcel extending to Cambridge Street and to High Street, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that Article 32 be indefinitely postponed.

Motion Carried

The following persons were appointed as tellers and sworn to the faithful performance of their duties: David G. Leland, Francis J. Jackson, John M. Looney, and Cynthia M. Latta

ARTICLE 34

To see if the Town will vote to authorize the Board of Selectmen to enter into a contract for the disposal of waste generated by the Town of Winchester after September 26, 2005, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED, that further consideration of Article 34 be indefinitely postponed.

Motion Carried

ARTICLE 35

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum or sums of money to supplement appropriations previously voted for Fiscal Year 2003 Budgets, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that Article 35 be indefinitely postponed.

Motion Carried

ARTICLE 36

To see if the Town will authorize and direct the Board of Assessors to take any sum of money from available funds to reduce the tax levy for the current financial term and/or transfer funds to or from the Stabilization Fund, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that the Board of Assessors be authorized and directed to take the following sums of money from available funds for the purpose of reducing the FY2004 tax levy:

From Free cash	$1,431,068
From Overlay Surplus	$ 150,000

Motion Carried

ARTICLE 37

To see if the Town will vote to hear and act upon the report of the Board of Selectmen's Strategic Planning Committee, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED to receive and place on file the report of the Board of Selectmen's Strategic Planning Steering Committee.

Motion Carried

ARTICLE 38

To see if the Town will vote to create a Winchester Waterfields Resource Committee, said Committee having the purpose of obtaining for Winchester the greatest possible benefits from its various rivers, ponds, streams, lakes, and other waterways; said Committee considering and coordinating multiple Town objectives with respect to such waterways, including but not limited to flood mitigation, water supply, recreation, conservation, historic preservation, and aesthetics; said Committee having the lead responsibility for the planning, the coordinating, and the overseeing of the implementation of all flood mitigation, recreation, conservation, historic preservation, aesthetic, and related projects that pertain to Winchester waterways; said Committee consisting of representatives of appropriate Town Offices, Boards, and Committees, and members of the public; and said Committee soliciting input from the citizens of Winchester and communicating with them regarding plans, alternatives, and costs, or take any other action in relation thereto.

(Petition of Drew Bottaro, et al)

MOVED AND SECONDED that Article 38 be indefinitely postponed.

Motion Carried

ARTICLE 5

To see if the Town will vote to amend the Winchester Zoning By-law, adopted October 1973, and the map incorporated therein, as heretofore amended and incorporated therein, by incorporating the following changes:

Section 2.5 is deleted, and the following Section 14 is substituted in its entirety.

Section 14 Floodplain District

14.1 Statement of Purpose

The purposes of the Floodplain District are to:

1) **Ensure public safety through reducing the threats to life and personal injury;**

2) **Eliminate new hazards to emergency response officials;**

3) **Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;**

4) **Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;**

5) **Eliminate costs associated with the response and cleanup of flooding conditions;**

6) **Reduce damage to public and private property resulting from flooding waters.**

14.2 Floodplain District Boundaries and Base Flood Elevation and Floodway Data

14.2.1 Floodplain District Boundaries

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas designated on the Town of Winchester Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the NFIP (National Flood Insurance Program) dated June 18, 1980 as Zone A, AE, AH, AO, A1-30, and A99 and the FEMA, Flood Boundary and Floodway Map dated June 18, 1980, both maps which indicate the 100-year regulatory floodplain. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Flood Insurance Study (FIS) booklet dated December 1979. The FIRM, Floodway Maps and Flood Insurance Study booklet are incorporated herein by reference and are on file with the Town Engineer.

14.2.2 Base Flood Elevation and Floodway Data

In the Floodplain District the following requirements apply:

1. **<u>Floodway Data</u>. In Zones A1-A30 and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.**

2. **Where the base flood elevations are not provided on the FIRM, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Commissioner for its reasonable utilization towards meeting the elevation or flood proofing requirements, as appropriate, of the State Building Code.**

3. **In the floodway, designated on the flood boundary and floodway map as Zones A1-30, the following provisions shall apply:**

a. **All encroachments, including fill, new construction, substantial improvements of existing structures, and other development are prohibited unless certification by a registered professional engineer is provided by the applicant to demonstrate that such encroaching shall not result in any increase in flood levels greater than the occurrence of the 100-year flood.**

b. **Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code with the exception of the requirements noted in the following conditions c through f.**

c. **All new and substantial improvements of residential buildings must have the lowest floor (including basement) elevated to one (1) foot above the level of the 100-year flood event.**

d. **All new construction and substantial improvements on non-residential buildings must either have the lowest floor (including basement) elevated to one (1) foot above the level of the 100-year flood event or dry-flood proofed to the elevation of the 100-year flood event. Dry flood proofing means that the building must be designed and constructed to be watertight, substantially impermeable to floodwaters.**

e. **Buildings can be elevated to one (1) foot above the level of the 100-year flood event using fill, or they can be elevated on extended foundation walls or other enclosure walls, on piles, or on columns.**

f. **Because extended foundation or other enclosure walls will be exposed to flood forces, they must be designed and constructed to withstand hydrostatic pressure, otherwise the walls can fail and the building can be damaged. Foundations and enclosure walls that are subject to the 100 year flood shall be constructed with flood-resistant materials and contain openings that will permit the automatic entry and exit of floodwaters. These openings allow floodwaters to reach equal levels on both sides of the walls and thereby lessen the potential for damage. Any enclosed area below the elevation of the 100-year flood event can only be used for the parking of vehicles, building access, or storage.**

4. **<u>Base Flood Elevation Data</u>. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.**

14.3 Notification of Watercourse Alteration

The Town Engineer shall notify, in a riverine situation, the following of any alteration or relocation of a watercourse:

1. **Adjacent communities;**

2. **NFIP State Coordinator**
   Massachusetts Office of Water Resources
   251 Causeway Street, Suite 600-700
   Boston, MA 02114-2104

3. **NFIP Program Specialist**
   FEMA Region 1, Rm. 462
   J.W. McCormack Post Office and Courthouse
   Boston, MA 02109

14.4 Use Regulations

14.4.1 Reference to Existing Regulations

The Floodplain District is established as an overlay district to all other districts. All development in the District, including structural and non-structural activities, whether permitted by right or by special permit, must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws (known as the Massachusetts Wetlands Protection Act statute), and with the following:

1) **Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas, currently 780 CMR 3107.0 "Flood Resistant Construction" (with the exception of the stricter requirements listed in;**

2) **Wetlands Protection Act Regulations. Department of Environmental Protection (DEP), (currently 310 CMR 10.00);**

3) **Inland Wetlands Restriction, DEP (currently 302 CMR 6.00);**

4) **Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 13 Title 5).**

Any variances from the provisions and requirements of the above referenced State regulations may only be granted in accordance with the required variance procedures of these State regulations.

14.4.2 Other Use Regulations

1) **Within Zones A, AO, AH, A1-30, AE, and A99 on the FIRM, require adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.**

2) **Review all subdivision proposals to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and c) adequate drainage is provided to reduce**

exposure to flood hazards.

3) **Existing contour intervals of site and elevations of existing structures must be included on the plan.**

4) **There shall be established a "routing procedure" which will circulate or transmit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Town Engineer, Building Commissioner for comments which will be considered by the appropriate permitting board prior to issuing applicable permits.**

14.5 Permitted Uses

The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

1) **Agricultural uses such as farming, grazing, truck farming, horticulture, etc.;**

2) **Forestry and nursery uses;**

3) **Outdoor recreational uses, including fishing, boating, play areas, etc.;**

4) **Conservation of water, plants, wildlife;**

5) **Wildlife management of areas foot, bicycle and/or horse paths;**

6) **Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises;**

7) **Buildings lawfully existing prior to the adoption of these provisions;**

8) **Temporary construction for the repair or placement of pipes, drains, utilities, and like installations, which are currently permitted by the Board of Selectmen;**

9) **Any work undertaken by or on behalf of the Town of Winchester individually or in conjunction with any other governmental agency, so long as that work is subject to regulation under existing State or Federal laws or regulations.**

14.6 Definitions

<u>Area of Special Flood Hazard</u> is that land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, and/or A99.

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Development means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, dredging, filling, grading, paving, excavation or drilling operations. The term "development" does not include the resurfacing of existing pavements by the Town of Winchester Public Works Department for maintenance and safety of roadways.

District means Floodplain District.

Flood Boundary and Floodway Map means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

Flood Hazard Boundary Map (FHBM) means an official map of a community issued by FEMA where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E.

Flood Insurance Rate Map means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study means an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New Construction means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of floodplain management regulation adopted by a community. For the purpose of determining insurance rates, New Construction means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

One Hundred Year Flood – see Base Flood.

Regulatory Floodway – see Floodway.

Special Flood Hazard Area means an area having special flood and/or flood-related erosion hazards, and shown of an FHBM or FIRM as Zone A, AO, A1-30, AE, A 99, and AH.

Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation, or the placement of a manufactured home on a foundation. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, or floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means, for floodplain management purposes, a walled and roofed building that is principally above ground, as well as a manufactured home. Structure, for insurance purposes, means a walled and roofed building, including a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration, or repair, but does not include building materials or supplies intended for use in such construction, alteration, or repair, unless such materials or supplies are within an enclosed building on the premises.

Substantial Damage means any damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed.

Zone A means the 100-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available Federal, State, local or other data.

Zone A1 – A30 and Zone AE (for new and revised maps) means the 100-year floodplain where the base flood elevation has been determined.

Zone AH and AO means the 100-year floodplain with flood depths of 1 to 3 feet.

Zone A99 means areas to be protected from the 100-year flood by federal flood protection system under construction. Base flood elevations have not been determined.

Zones B, C, and X are areas identified in the community Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

Or take any other action in relation thereto.

(Planning Board)

MOVED AND SECONDED to amend the Winchester Zoning By-Law, adopted October 1973, and the map incorporated therein, as heretofore amended and incorporated therein, by incorporating the following changes:

Section 2.5 is deleted, and the following Section 14 is substituted in its entirety.

14.1 Statement of Purpose

The purposes of the Floodplain District are to:

1. Ensure public safety through reducing the threats to life and personal injury;
2. Eliminate new hazards to emergency response officials;
3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
5. Eliminate costs associated with the response and cleanup of flooding conditions;
6. Reduce damage to public and private property resulting from flooding waters.

14.2 Floodplain District Boundaries and Base Flood Elevation and Floodway Data

14.2.1 Floodplain District Boundaries

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas designated on the Town of Winchester Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the NFIP (National Flood Insurance Program) dated June 18, 1980 as Zone A, AE, AH, AO, A1-30, and A99 and the FEMA, Flood Boundary and Floodway Map dated June 18, 1980, both maps which indicate the 100-year regulatory floodplain. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Flood Insurance Study (FIS) booklet dated December 1979. The FIRM, Floodway Maps and Flood Insurance Study booklet are incorporated herein by reference and are on file with the Town Engineer.

14.2.2 Base Flood Elevation and Floodway Data

In the Floodplain District the following requirements apply:

1. Floodway Data. In Zones A1-A30 and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. Where the base flood elevations are not provided on the FIRM, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Commissioner for its reasonable utilization towards meeting the elevation or flood proofing requirements, as appropriate, of the State Building Code.

3. In the floodway, as shown on the Flood Boundary and Floodway Map, the following provisions shall apply:

    a. All encroachments, including fill, new construction, substantial improvements of existing structures, and other development are prohibited unless certification by a registered professional engineer is provided by the applicant to demonstrate that such encroachments shall not result in any increase in flood levels greater than the occurrence of the 100-year flood.

    b. Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code with the exception of the requirements noted in section 14.2.2.4 conditions a through d.

1. In the floodplain designated on the Flood Insurance Rate Map as zones A, A1-A30, or AE, the following provisions shall apply:

    a. All new and substantial improvements of residential buildings must have the lowest floor (including basement) elevated to one (1) foot above the level of the 100-year flood event.

b. All new construction and substantial improvements on non-residential buildings must either have the lowest floor (including basement) elevated to one (1) foot above the level of the 100-year flood event or be dry-flood proofed to the elevation of the 100-year flood event. Dry flood proofing means that the building must be designed and constructed to be watertight, substantially impermeable to floodwaters.

c. Buildings meeting the requirements of 14.2.2.3.a can be elevated to one (1) foot above the level of the 100-year flood event using fill, or they can be elevated on extended foundation walls or other enclosure walls, on piles, or on columns.

d. Because extended foundation or other enclosure walls will be exposed to flood forces, they must be designed and constructed to withstand hydrostatic pressure, otherwise the walls can fail and the building can be damaged. Foundations and enclosure walls that are subject to the 100 year flood shall be constructed with flood-resistant materials and contain openings that will permit the automatic entry and exit of floodwaters. These openings allow floodwaters to reach equal levels on both sides of the walls and thereby lessen the potential for damage. Any enclosed area below the elevation of the 100-year flood event can only be used for the parking of vehicles, building access, or storage.

2. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

14.3 Notification of Watercourse Alteration

The Town Engineer shall notify, in a riverine situation, the following of any alteration or relocation of a watercourse:

1. Adjacent communities;

2. NFIP State Coordinator
   Massachusetts Office of Water Resources
   251 Causeway Street, Suite 600-700
   Boston, MA 02114-2104

3. NFIP Program Specialist
   FEMA Region 1, Rm. 462
   J.W. McCormack Post Office and Courthouse
   Boston, MA 02109

14.4 Use Regulations

14.4.1 Reference to Existing Regulations

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws (known as the Massachusetts Wetlands Protection Act statute), and with the following:

1. Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas, currently 780 CMR 3107.0 "Flood Resistant Construction" (with the exception of the stricter requirements listed in;

2. Wetlands Protection Act Regulations. Department of Environmental Protection (DEP), (currently 310 CMR 10.00);

3. Inland Wetlands Restriction, DEP *(currently 310 CMR 13.00);*

Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 13, Title 5).

Any variances from the provisions and requirements of the above referenced State regulations may only be granted in accordance with the required variance procedures of these State regulations.

14.4.2 Other Use Regulations

1. Within Zones A, AO, AH, A1-30, AE, and A99 on the FIRM, require adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

2. Review all subdivision proposals to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage and c) adequate drainage is provided to reduce exposure to flood hazards.

3. Existing contour intervals of site and elevations of existing structures must be included on plan.

4. There shall be established a "routing procedure" which will circulate or transmit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Town Engineer, Building Commissioner for comments which will be considered by the appropriate permitting board prior to issuing applicable permits.

14.5 Permitted Uses

The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

1) Agricultural uses such as farming, grazing, truck farming, horticulture, etc.;

2) Forestry and nursery uses;

3) Outdoor recreational uses, including fishing, boating, play areas, etc.;

4) Conservation of water, plants, wildlife;

5) Wildlife management of areas foot, bicycle and/or horse paths;

6) Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises;

7) Buildings lawfully existing prior to the adoption of these provisions;

8) Temporary construction for the repair or placement of pipes, drains, utilities, and like installations, which are currently permitted by the Board of Selectmen;

9) Any work undertaken by or on behalf of the Town of Winchester individually or in conjunction with any other governmental agency, so long as that work is subject to regulation under existing state or federal laws or regulations.

14.6 Definitions

Area of Special Flood Hazard is that land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, and/or A99.

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Development means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, dredging, filling, grading, paving, excavation or drilling operations. The term "development" does not include the resurfacing of existing pavements by the Town of Winchester Public Works Department for maintenance and safety of roadways.

District means Floodplain District.

Flood Boundary and Floodway Map means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

Flood Hazard Boundary Map (FHBM) means an official map of a community issued by FEMA where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E.

Flood Insurance Rate Map means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study means an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, PROVIDED that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New Construction means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of floodplain management regulation adopted by a community. For the purpose of determining insurance rates, NEW CONSTRUCTION means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

One Hundred Year Flood – see Base Flood.

Regulatory Floodway – see Floodway.

Special Flood Hazard Area means an area having special flood and/or flood-related erosion hazards, and shown of an FHBM or FIRM as Zone A, AO, A1-30, AE, A 99, and AH.

Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation, or the placement of a manufactured home on a foundation. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, or floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means, for floodplain management purposes, a walled and roofed building that is principally above ground, as well as a manufactured home. Structure, for insurance purposes, means a walled and roofed building, including a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration, or repair, but does not include building materials or supplies intended for use in such construction, alteration, or repair, unless such materials or supplies are within an enclosed building on the premises.

Substantial Damage means any damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed.

Zone A means the 100-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available federal, state, local or other data.

Zone A1 – A30 and Zone AE (for new and revised maps) means the 100-year floodplain where the base flood elevation has been determined.

Zone AH and AO means the 100-year floodplain with flood depths of 1 to 3 feet.

Zone A99 means areas to be protected from the 100-year flood by federal flood protection system under construction. Base flood elevations have not been determined.

Zones B, C, and X are areas identified in the community Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

Motion Carried by Voice Vote Declared by the
Moderator to be Unanimous

MOVED AND SECONDED that the meeting be adjourned.

Standing Vote YES-5 No-61 Motion to Adjourn Defeated

ARTICLE 39

To see if the Town will vote to accept committee reports, dissolve old committees, authorize new committees, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that Article 39 be indefinitely postponed.

Motion Carried

ARTICLE 40

To see if the Town will vote to take appropriate or necessary actions to comply with the provisions of Massachusetts General Law Chapter 59 Section 21C, a law known as the"2 ½ Tax Limitation" or any State legislative acts or executive orders supplementary or amendatory thereto, or take any other action in relation thereto.

(Finance Committee)

MOVED AND SECONDED, that Article 40 be indefinitely postponed.

Motion Carried

Reconsideration of Article 28 (Real Estate Transfer Tax)

Article 28 was approved on May 29, 2003.

MOVED AND SECONDED, that Article 28 be reconsidered.

Standing vote - 2/3 required (79 needed)
YES-66 NO- 53
Motion to reconsider defeated

MOVED AND SECONDED, that this meeting be dissolved.

Motion Carried

The meeting dissolved at 11:50PM.

ATTEST:

Kathleen Cramer
Assistant Town Clerk

ANNUAL REPRESENTATIVE TOWN MEETING
FALL SESSION

November 3, 2003

Pursuant to the warrant of the Selectmen served according to law upon the inhabitants of the Town of Winchester, Massachusetts by Richard Kelley, Constable of said town, notices having been sent by mail ten days before the day of the meeting to the Town Meeting Members elected and qualified to act at Town Meeting in Winchester, the Town Meeting Members met in the High School Auditorium in said Town of Winchester on Monday, November 3, 2003 at 7:30 o'clock in the evening.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kathleen Cramer and Kelly Davis of the Office of the Town Clerk. The list contained the names of one hundred ninety (190) Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred seventy-one (171) Town Meeting Members attended the meeting.

Moderator John J. Sullivan called the meeting to order. After offering a prayer, the Moderator read the call of the meeting and the Constable's return of the warrant, as copies of the warrant had been mailed to each of the Town Meeting Members and each article would be read when it came up for consideration.

Preliminary Motions

MOVED AND SECONDED, that the following preliminary motions be approved:

That Brian F. Sullivan, Town Manager, Mark J. Twogood, Assistant Town Manager, Joseph W. Bonner, Comptroller, and Wade M. Welch, Town Counsel, who are not Town Meeting Members, be permitted to sit at the front of the auditorium with the Board of Selectmen, during all sessions of this Town Meeting.

That all members of the Finance Committee and their secretary, whether Town Meeting Members or not, be permitted to sit together at the front of the auditorium during all sessions of this Town Meeting.

That the Town Clerk or the Assistant Town Clerk be permitted to occupy a desk on the platform during all sessions of this Town Meeting.

That the Moderator be authorized to permit members of various town boards, commissions, committees, department heads, and petitioners of special articles to sit at the front of the auditorium during consideration of appropriate articles.

That unless it be otherwise ordered, all adjourned sessions of this Town Meeting shall be held on successive Thursday and Monday evenings at 7:30 P.M. in the High School Auditorium, until the work of this Town Meeting is completed.

That action on all motions involving appropriations shall be contingent upon compliance with the provisions of Massachusetts General Laws Chapter 59, Section 21C, a law known as the 2-1/2 Tax Limitation.

That cable television coverage shall be permitted at all sessions of this Town Meeting.

Motion Carried

ARTICLE 1

To hear the reports of the Town Officers and the Finance Committee, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that the reports of the Town Officers be received and filed.

Motion Carried

The following persons gave reports:

Roger L. Berman, Chair - Finance Committee
James A. Johnson, III, Chair - Board of Selectmen
Brian F. Sullivan, Town Manager
Thomas R. Howley, Chair – Planning Board
Sarah E. Swiger, Chair – School Committee
William Andrew Lang, Chair – Committee on Rules

At the conclusion of Article 1, in accordance with Chapter 2, Section 2.2.1 of the Code of By-Laws, precinct meetings were held. Precincts 2 and 7 each elected a town meeting member to fill a vacancy until the Town Election in 2004.

ARTICLE 2

To see if the Town Meeting, acting under Article 2, section 2.5 (c) of the Winchester Home Rule Charter, and upon the recommendations of the Committee on Rules pursuant to Chapter 2, Section 4.4.3 of the Code of By-Laws of the Town of Winchester, will vote to declare vacant the seats of certain Town Meeting Members for failure to attend one half or more of the total number of sessions of the Winchester Town Meeting held during fiscal year 2004, or take any other action in relation thereto.

(Committee on Rules)

MOVED AND SECONDED that Article 2 be indefinitely postponed.

Motion Carried

ARTICLE 3

To see if the Town will vote to rescind the Amendment dated January 28, 2002 which extends to August 28, 2008 the Purchase and Sale Agreement dated January 3, 2000 between the Town of Winchester, as Seller, and Robert Salter and Richard Salter d/b/a The Salter Group, as Buyers, for the property consisting of 12.5 acres located on Thornberry Road, Winchester; also, to require any future extensions of said Purchase and Sale Agreement to be subject to Town Meeting approval and to be limited to increments of 1 year with revised purchase price at the fair market value property at the time of such extension, or take any other action in relation thereto.

(Petition of Linda M. Tedesco, et. al.)

The following Town Meeting Members were appointed as Tellers and sworn to the faithful performance of their duties: David G. Leland, Stephen A. Moore, David J. Giller, and Cynthia M. Latta.

MOVED AND SECONDED that further consideration of Article 3 be indefinitely postponed.
Standing Vote: YES – 63; NO – 95 Motion Defeated

MOVED AND SECONDED to approve the Amendment dated January 28, 2002 of the Purchase and Sale Agreement dated January 3, 2000 between the Town of Winchester and Robert Salter and Richard Salter d/b/a The Salter Group.

Standing Vote: YES – 111; NO – 39 Motion Carried

MOVED AND SECONDED that this meeting be adjourned until Thursday, November 6, 2003 at 7:30 PM at Winchester High School.

Motion Carried

The meeting adjourned at 10:55PM

Attest:

Carolyn Ward, Town Clerk

ADJOURNED ANNUAL REPRESENTATIVE TOWN MEETING

November 6, 2003

Pursuant to the vote of adjournment on November 3, 2003, the Town Meeting Members met at the High School Auditorium on Thursday, November 6, 2003, notices having been sent to all members absent at the previous meeting.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kathleen Cramer and Kelly Davis of the Office of the Town

Clerk. The list contained the names of one hundred ninety-two Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred sixty (160) Town Meeting Members attended the meeting.

The meeting began at 7:30 PM.

ARTICLE 4

To see if the Town will vote to amend the Town of Winchester Zoning By-Law as follows:

To replace the existing Section 1.44 which reads as follows:

> **The IEH is herein established as an Overlay Zoning District as per vote of Town Meeting. The application of an IEH District to the Zoning Map shall not restrict the uses allowed by right or special permit in the underlying zones. However, properties designated within the IEH may apply for a special permit to build elderly housing consistent with Section 6.3 of this by-law.**

with a new Section 1.44 to read as follows:

> **The IEH is herein established as an Overlay Zoning District as per vote of Town Meeting. The application of an IEH District to the Zoning Map shall not restrict the uses allowed by right or special permit in the underlying zones. However, properties designated within the IEH may apply for a special permit to build assisted living and elderly housing consistent with Section 6.3 of this by-law.**

To replace the existing Section 6.31 which reads as follows:

> **6.31 Purpose**
>
> **To provide an alternative and supplement to public elderly housing in Winchester in a manner that encourages the preservation of open space and is consistent with the scale of residential development in the community.**

with a new Section 6.31 to read as follows:

> **6.31 Purpose**
>
> **To provide an alternative and supplement to the assisted living and public elderly housing facilities in Winchester in a manner that encourages the preservation of open space and is consistent with the scale of residential development in the community.**

To replace the existing Section 6.32 which reads as follows:

> **6.32 Applicability**

Independent Elderly Housing (IEH) shall be permitted only in areas designated on the zoning map as an Independent Elderly Housing Overlay Zoning District (IEH). Said Overlay District shall not deny to the owners of property the uses allowed by right or special permit in the underlying zones. However, properties designated within the Overlay District may also apply for a special permit to construct IEH consistent with the guidelines of Section 6.33 of this by-law. In addition to the additional special permit criteria listed in Section 6.33, an IEH special permit is subject to the provisions and procedures established for special permits in this by-law.

with a new Section 6.32 to read as follows:

6.32 Applicability

Assisted living and elderly housing shall be permitted only in areas designated on the zoning map as Independent Elderly Housing Overlay District (IEH). Said Overlay Zoning District shall not deny to the owners of property the uses allowed by right or special permit in the underlying zones. However, properties designated within the Overlay District may also apply for a special permit to construct assisted living and elderly housing consistent with the guidelines of Section 6.33 of this by-law. In addition to the special permit criteria listed in Section 6.33, a special permit for assisted living and elderly housing in the IEH Overlay Zoning District is subject to the provisions and procedures established for special permits in this by-law.

To replace the existing subparagraph 6.33(c) which reads as follows:

Development Capacity: The maximum allowable development capacity shall be 12 dwelling units per acre. Development capacity shall be a function of the lot size multiplied by the dwelling unit per acre allowance, but in no instance shall any project exceed 150 elderly housing dwelling units.

with a new subparagraph 6.33(c) to read as follows:

Development Capacity: The maximum allowable development capacity shall be 12 dwelling units per acre. Development capacity shall be a function of the lot size multiplied by the dwelling unit per acre allowance, but in no instance shall any project exceed a combined 150 assisted living and elderly housing dwelling units.

To replace the existing first sentence of subparagraph 6.33(e) which reads as follows:

No building or structure shall be located within 100 feet of the perimeter legal lot lines of an Independent Elderly Housing development.

with a new first sentence of subparagraph 6.33(e) to read as follows:

No building or structure shall be located within 100 feet of the perimeter legal lot lines of a development within the IEH Overlay Zoning District.

To replace existing subparagraph 6.33(i)(1) which reads as follows:

(1) Multi-family residential structures intended for elderly residents.

with a new subparagraph 6.33(i)(1) to read as follows:

(1) Multi-family residential structures intended for assisted living or elderly residents.

To replace existing subparagraph 6.33(i)(3) which reads as follows:

(3) Recreation facilities, dining rooms, for on-premise use only, kitchens, pools, meeting and function rooms, administrative offices, medical facilities for diagnosis and outpatient services for residents only.

with a new subparagraph 6.33(i)(3) to read as follows:

(3) Recreation facilities, dining rooms, for on-premise use only, kitchens, pools, meeting and function rooms, administrative offices, and medical facilities for diagnosis, out-patient services, and in-home care, including without limitation assistance for memory-impaired residents.

To replace the last sentence of subparagraph 6.33(j)(2)(b) which reads as follows:

Further, the Board of Selectmen may, at its discretion, require that the entire base value be transferred to the Fund; or that the base value be transferred to the Fund with the stipulation that said base value amount be invested and that the interest or portion of the interest earned be used to rent units in an IEH project at market rates.

with a new last sentence for subparagraph 6.33(j)(2)(b) to read as follows:

Further, the Board of Selectmen may, at its discretion, require that the entire base value be transferred to the Fund; or that the base value be transferred to the Fund with the stipulation that said base value amount be invested and that the interest or portion of the interest earned be used to rent units in an assisted living or elderly housing project in the IEH Overlay Zoning District at market rates.

To replace the definition of Independent Elderly Housing in Section 9 which reads as follows:

INDEPENDENT ELDERLY HOUSING (IEH) – A multi-family residential structure intended for individuals at least 62 years of age or older; that characteristically includes service, recreational, common and function areas intended for use by the residents. This definition shall not be construed to prohibit mentally or physically impaired people from living with an occupant or occupants of an IEH unit. Further, for purposes of this by-law IEH projects shall be for rental purposes only.

with a new definition of Assisted Living and Elderly Housing in Section 9 to read as follows:

ASSISTED LIVING AND ELDERLY HOUSING—A multi-family residential development intended for individuals at least 62 years of age, regardless of physical or mental condition, that characteristically includes service, recreational, common and function areas intended for use by the residents and their visitors, as well as on-site medical services for residents only. Further, for purposes of this by-law, assisted living and elderly housing developments within the IEH Overlay Zoning District shall be for rental purposes only.

Or take any other action in relation thereto.

(Board of Selectmen)

The following Town Meeting Members were appointed as Tellers and sworn to the faithful performance of their duties: David G. Leland, Stephen A. Moore, David J. Giller, and Cynthia M. Latta.

MOVED AND SECONDED that further consideration of Article 4 be indefinitely postponed.

Standing Vote: YES – 56; NO – 90 Motion Defeated

MOVED AND SECONDED, to amend the Town of Winchester Zoning By-Law as follows:

To replace the existing Section 1.44 which reads as follows:

> The IEH is herein established as an Overlay Zoning District as per vote of Town Meeting. The application of an IEH District to the Zoning Map shall not restrict the uses allowed by right or special permit in the underlying zones. However, properties designated within the IEH may apply for a special permit to build elderly housing consistent with Section 6.3 of this by-law.

with a new Section 1.44 to read as follows:

> The IEH is herein established as an Overlay Zoning District as per vote of Town Meeting. The application of an IEH District to the Zoning Map shall not restrict the uses allowed by right or special permit in the underlying zones. However, properties designated within the IEH may apply for a special permit to build assisted living and elderly housing consistent with Section 6.3 of this by-law.

To replace the existing Section 6.31 which reads as follows:

> 6.31 Purpose
>
> To provide an alternative and supplement to public elderly housing in Winchester in a manner that encourages the preservation of open space and is consistent with the scale of residential development in the community.

with a new Section 6.31 to read as follows:

> 6.31 Purpose

To provide an alternative and supplement to the assisted living and public elderly housing facilities in Winchester in a manner that encourages the preservation of open space and is consistent with the scale of residential development in the community.

To replace the existing Section 6.32 which reads as follows:

6.32 Applicability

Independent Elderly Housing (IEH) shall be permitted only in areas designated on the zoning map as an Independent Elderly Housing Overlay Zoning District (IEH). Said Overlay District shall not deny to the owners of property the uses allowed by right or special permit in the underlying zones. However, properties designated within the Overlay District may also apply for a special permit to construct IEH consistent with the guidelines of Section 6.33 of this by-law. In addition to the additional special permit criteria listed in Section 6.33, an IEH special permit is subject to the provisions and procedures established for special permits in this by-law.

with a new Section 6.32 to read as follows:

6.32 Applicability

Assisted living and elderly housing shall be permitted only in areas designated on the zoning map as Independent Elderly Housing Overlay District (IEH). Said Overlay Zoning District shall not deny to the owners of property the uses allowed by right or special permit in the underlying zones. However, properties designated within the Overlay District may also apply for a special permit to construct assisted living and elderly housing consistent with the guidelines of Section 6.33 of this by-law. In addition to the special permit criteria listed in Section 6.33, a special permit for assisted living and elderly housing in the IEH Overlay Zoning District is subject to the provisions and procedures established for special permits in this by-law.

To replace the existing subparagraph 6.33(c) which reads as follows:

Development Capacity: The maximum allowable development capacity shall be 12 dwelling units per acre. Development capacity shall be a function of the lot size multiplied by the dwelling unit per acre allowance, but in no instance shall any project exceed 150 elderly housing dwelling units.

with a new subparagraph 6.33(c) to read as follows:

Development Capacity: The maximum allowable development capacity shall be 12 dwelling units per acre. Development capacity shall be a function of the lot size multiplied by the dwelling unit per acre allowance, but in no instance shall any project exceed a combined 150 assisted living and elderly housing dwelling units.

To replace the existing first sentence of subparagraph 6.33(e) which reads as follows:

No building or structure shall be located within 100 feet of the perimeter legal lot lines of an Independent Elderly Housing development.

with a new first sentence of subparagraph 6.33(e) to read as follows:

> No building or structure shall be located within 100 feet of the perimeter legal lot lines of a development within the IEH Overlay Zoning District.

To replace existing subparagraph 6.33(i)(1) which reads as follows:

> (1) Multi-family residential structures intended for elderly residents.

with a new subparagraph 6.33(i)(1) to read as follows:

> (1) Multi-family residential structures intended for assisted living or elderly residents.

To replace existing subparagraph 6.33(i)(3) which reads as follows:

> (3) Recreation facilities, dining rooms, for on-premise use only, kitchens, pools, meeting and function rooms, administrative offices, medical facilities for diagnosis and outpatient services for residents only.

with a new subparagraph 6.33(i)(3) to read as follows:

> (3) Recreation facilities, dining rooms, for on-premise use only, kitchens, pools, meeting and function rooms, administrative offices, and medical facilities for diagnosis, out-patient services, and in-home care, including without limitation assistance for memory-impaired residents.

To replace the last sentence of subparagraph 6.33(j)(2)(b) which reads as follows:

> Further, the Board of Selectmen may, at its discretion, require that the entire base value be transferred to the Fund; or that the base value be transferred to the Fund with the stipulation that said base value amount be invested and that the interest or portion of the interest earned be used to rent units in an IEH project at market rates.

with a new last sentence for subparagraph 6.33(j)(2)(b) to read as follows:

> Further, the Board of Selectmen may, at its discretion, require that the entire base value be transferred to the Fund; or that the base value be transferred to the Fund with the stipulation that said base value amount be invested and that the interest or portion of the interest earned be used to rent units in an assisted living or elderly housing project in the IEH Overlay Zoning District at market rates.

To replace the definition of Independent Elderly Housing in Section 9 which reads as follows:

> INDEPENDENT ELDERLY HOUSING (IEH) – A multi-family residential structure intended for individuals at least 62 years of age or older; that characteristically includes service, recreational, common and function areas intended for use by the residents. This definition shall not be construed to prohibit mentally or physically impaired people from

living with an occupant or occupants of an IEH unit. Further, for purposes of this by-law IEH projects shall be for rental purposes only.

with a new definition of Assisted Living and Elderly Housing in Section 9 to read as follows:

ASSISTED LIVING AND ELDERLY HOUSING—A multi-family residential development intended for individuals at least 62 years of age, regardless of physical or mental condition, that characteristically includes service, recreational, common and function areas intended for use by the residents and their visitors, as well as on-site medical services for residents only. Further, for purposes of this by-law, assisted living and elderly housing developments within the IEH Overlay Zoning District shall be for rental purposes only.

Standing Vote: (two thirds required for passage) YES – 105; NO – 42 Motion Carried

ARTICLE 5

To see if the Town will vote to amend the Town of Winchester Zoning By-law as follows:

To replace the existing Section 6.33(h) which reads as follows:

> **Frontage on an approved way shall be at least 200 feet. Lots having one half or more frontage on a circular turnaround or curve of less than 100 feet radius, may be reduced to a minimum frontage of 50 feet, provided the minimum lot width otherwise required is maintained at the front yard setback line.**

With a new Section 6.33(h) to read as follows:

> **Frontage on an approved way shall be at least 80 feet. Lots having one half or more frontage on a circular turnaround or curve of less than 100 feet radius, may be reduced to a minimum frontage of 50 feet, provided the minimum lot width otherwise required is maintained at the front yard setback line.**

Or take any action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that further consideration of Article 5 be indefinitely postponed.

Standing Vote: YES – 60; NO – 85 Motion Defeated

MOVED AND SECONDED to amend the Town of Winchester Zoning By-law as follows:

To replace the existing Section 6.33(h) which reads as follows:

> Frontage on an approved way shall be at least 200 feet. Lots having one half or more frontage on a circular turnaround or curve of less than 100 feet radius, may be reduced to a minimum frontage of 50 feet, provided the minimum lot width otherwise required is maintained at the front yard setback line.

With a new Section 6.33(h) to read as follows:

Frontage on an approved way shall be at least 80 feet. Lots having one half or more frontage on a circular turnaround or curve of less than 100 feet radius, may be reduced to a minimum frontage of 50 feet, provided the minimum lot width otherwise required is maintained at the front yard setback line.

Standing Vote: YES – 86; NO – 64 Motion Defeated

MOVED AND SECONDED that this Town Meeting be adjourned until Thursday, November 13, 2003.

Motion Carried

The meeting adjourned at 10:30 PM.

ATTEST:

Carolyn Ward, Town Clerk

ADJOURNED ANNUAL REPRESENTATIVE TOWN MEETING

November 13, 2003

Pursuant to the vote of adjournment on November 6, 2003, the Town Meeting Members met at the High School Auditorium on Thursday, November 13, 2003, notices having been sent to all members absent at the previous meeting.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kathleen Cramer and Kelly Davis of the Office of the Town Clerk. The list contained the names of one hundred ninety-two Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred forty-six (146) Town Meeting Members attended the meeting.

The meeting began at 7:30 PM.

ARTICLE 6

To see if the Town will vote to amend the Town of Winchester Zoning Map as follows:

To extend the boundary of the Conservancy-Institutional District (SCI) located north and west of Thornberry Road to include the Town-owned property adjacent to the SCI District, presently included in the RDA District, and bounded on the three remaining sides as follows:

To the south by Thornberry Road, to the west by land N/F of John A. Pierce, Jr. at 53 Thornberry Road, Deed Book 1106, Page 22, and to the east by land N/F of Myra J. Fournier at 49 Thornberry Road, Deed Book 933, Page 103.

A sketch of the area to be rezoned, dated October 3, 2003 by Meridian Associates, Inc., is on file in the Town Clerk's Office. Or take any action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that further consideration of Article 6 be indefinitely postponed.

The following persons were appointed as tellers and sworn to the faithful performance of their duties: David G. Leland, Stephen A. Moore, David J. Giller, and Richard J. Winn.

Standing Vote: YES – 56; NO – 77 Motion to Indefinitely Postpone Defeated

MOVED AND SECONDED to amend the Town of Winchester Zoning Map as follows:

To extend the boundary of the Conservancy-Institutional District (SCI) located north and west of Thornberry Road to include the Town-owned property adjacent to the SCI District, presently included in the RDA District, and bounded on the three remaining sides as follows:

To the south by Thornberry Road, to the west by land N/F of John A. Pierce, Jr. at 53 Thornberry Road, Deed Book 1106, Page 22, and to the east by land N/F of Myra J. Fournier at 49 Thornberry Road, Deed Book 933, Page 103.

A sketch of the area to be rezoned, dated October 3, 2003 by Meridian Associates, Inc., is on file in the Town Clerk's Office.

Standing Vote (2/3 required for passage): YES – 81; No – 53 Motion Defeated

ARTICLE 7

To see if the Town will vote to amend the Town of Winchester Zoning By-Law as follows:

To add a new paragraph at the end of Section 6.32, as amended by Article 4, to read as follows:

> **Notwithstanding any other provision of this by-law, a special permit and site plan review shall not be required for assisted living and elderly housing developments on property located in the IEH Overlay District, owned or formerly owned by the Town, and disposed or to be disposed by the Town in a competitive bid process under the Uniform Procurement Act (M.G.L. c. 30B).**

Or take any action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that further consideration of Article 7 be indefinitely postponed.

Motion Carried

With a new Section 6.33(h) to read as follows:

Frontage on an approved way shall be at least 80 feet. Lots having one half or more frontage on a circular turnaround or curve of less than 100 feet radius, may be reduced to a minimum frontage of 50 feet, provided the minimum lot width otherwise required is maintained at the front yard setback line.

Standing Vote: YES – 86; NO – 64 Motion Defeated

MOVED AND SECONDED that this Town Meeting be adjourned until Thursday, November 13, 2003.

Motion Carried

The meeting adjourned at 10:30 PM.

ATTEST:

Carolyn Ward, Town Clerk

ADJOURNED ANNUAL REPRESENTATIVE TOWN MEETING

November 13, 2003

Pursuant to the vote of adjournment on November 6, 2003, the Town Meeting Members met at the High School Auditorium on Thursday, November 13, 2003, notices having been sent to all members absent at the previous meeting.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kathleen Cramer and Kelly Davis of the Office of the Town Clerk. The list contained the names of one hundred ninety-two Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred forty-six (146) Town Meeting Members attended the meeting.

The meeting began at 7:30 PM.

ARTICLE 6

To see if the Town will vote to amend the Town of Winchester Zoning Map as follows:

To extend the boundary of the Conservancy-Institutional District (SCI) located north and west of Thornberry Road to include the Town-owned property adjacent to the SCI District, presently included in the RDA District, and bounded on the three remaining sides as follows:

a) By a white, steady, stationary light of reasonable intensity shielded and directed solely (or by silhouette) at the sign. The foregoing is applicable to signs exterior to a building and to permanent interior signs designed to be visible through a door or window.

Motion Carried

ARTICLE 10

To see if the Town will vote to amend the Winchester Code of By-Laws, Chapter 9, Signs, adopted April 1982, as heretofore amended and incorporated therein, by incorporating the following changes:

Section 2.2

Section 2.2 (b) is deleted (by interior non-exposed lights of reasonable intensity) and the following is substituted in its entirety:

(b) by fully shielded indirect light sources in accordance with Section 12 of the Zoning By-Law Outdoor Lighting. No sign may utilize translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through. The foregoing is applicable to signs exterior to a building and to permanent interior signs designed to be visible through a door or window.

Or take any other action in relation thereto.

(Design Review Committee)

MOVED AND SECONDED to amend the Winchester Code of By-Laws, Chapter 9, Signs, adopted April 1982 by incorporating the following change:

Section 2.2 (b) is deleted (by interior non-exposed lights of reasonable intensity) and the following is substituted in its entirety:

b) by fully shielded indirect light sources in accordance with Section 12 of the Zoning By-Law Outdoor Lighting. No sign may utilize translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through. The foregoing is applicable to signs exterior to a building and to permanent interior signs designed to be visible through a door or window.

Motion Carried

MOVED AND SECONDED that this town meeting be adjourned until Monday, November 17, 2003 at 7:30 PM at Winchester High School.

Motion Carried

The meeting adjourned at 10:20 PM.

November 17, 2003

ATTEST:

Carolyn Ward, Town Clerk

ADJOURNED ANNUAL REPRESENTATIVE TOWN MEETING

November 17, 2003

Pursuant to the vote of adjournment on November 13, 2003, the Town Meeting Members met at the High School Auditorium on Monday, November 17, 2003, notices having been sent to all members absent at the previous meeting.

A list of the duly qualified Town Meeting Members was used at the entrance of the meeting place and was in the charge of Kathleen Cramer and Kelly Davis of the Office of the Town Clerk. The list contained the names of one hundred ninety-two Town Meeting Members entitled to vote and participate in Town Meeting in Winchester.

A checklist filed with the Town Clerk at the close of the meeting showed that one hundred sixty-five (165) Town Meeting Members attended the meeting.

The meeting began at 7:30 PM.

ARTICLE 11

To see if the Town will vote to amend the Code of By-Laws by adding the following Chapter:

CHAPTER 17 REGULATION OF NEWS RACKS

Section 17.1 DEFINITIONS

The following terms shall be defined, for the purposes of this by-law, as follows:

Person - Any individual, corporation, society, association, partnership, organization or other entity circulating printed matter;

Printed Matter - Any newspaper, directory, handbill, advertising matter, magazine, circular, flyer, book, pamphlet, catalogue or other publication;

News rack - Any container, box, bin, vending machine, display, stand, rack or other device used for the purpose of dispensing printed matter with or without cost to the consumer;

Director – The director of public works of the town of winchester or his designee;

Permit - Certificate of compliance issued by the director;

Public Way - The entire width between property lines of every street or highway that is open to the public for purposes of travel;

Sidewalk - That portion of a public way that is set aside for pedestrian travel;

Roadway - That portion of a public way that is intended for the use of motor vehicles;

Crosswalk Curb Return - The point at which the crosswalk pavement markings meet the sidewalk.

Section 17.2 PERMITS

(a) Any person who places a news rack or causes a news rack to be placed upon any sidewalk or public way in the town prior to the effective date of this by-law and who wishes to maintain said news rack on and after said date shall, within thirty (30) days after said date, apply for a permit from the director in accordance with the provisions of this by-law.

(b) On or after the effective date of this by-law, no person shall place a news rack or cause a news rack to be placed on a sidewalk or public way in the town, without first obtaining a permit from the director in accordance with the provisions of this by-law.

(c) The director shall provide a permit application form, which shall be completed by every person who desires to place or maintain a news rack on a public way in the town of winchester. The form shall require the applicant to provide the following information:

(1) a description sufficient to show the precise address and location of each news rack;

(2) the name, address and telephone number of the owner of each news rack and the name, address and telephone number of a person responsible for the maintenance and operation of the news rack who may be contacted in an emergency; and

(3) a certification that the specified location and the news rack comply with the provisions of this by-law.

(d) Each applicant for a permit or renewal of a permit shall prepare a single application form upon which all news racks owned by that person and located on a public way or sidewalk in the town shall be listed.

(e) Permits shall be valid for a period of one year from the date of issue and, upon application, may be renewed by the director on an annual basis.

(f) Each person granted a permit or renewal thereof under this by-law shall thereafter give notice to the director of any change in the location of a news rack or the installation of a news rack in a location not previously listed on a permit by the submission of a quarterly amendment application to the director. Upon receipt by the director, the amendment application shall constitute an amendment to the permit subject, however, to all other applicable provisions of this by-law. The director shall specify on the permit the dates for receipt of such quarterly

amendment applications provided that they occur at intervals of not less than ninety (90) days commencing on the date the permit was issued.

(g) The board of selectmen is authorized to establish reasonable fees for original permit applications, annual renewal applications and amendment applications. News racks owned by the town of winchester shall be exempt from fees.

(h) Within 14 days after receipt of an application for a permit or renewal of a permit under this by-law, the director shall either issue or renew the permit or deny the application by giving written notice and a statement of reasons to the applicant. A denial shall be based upon the failure of the applicant to satisfy the requirements set forth in this by-law.

(i) If the director has not acted on a permit application within 14 days of receipt thereof, pursuant to subsection (h), the permit will be deemed issued or renewed subject, however, to all other applicable provisions of this by-law.

(j) If the director denies an application, in whole or in part, the applicant may appeal the director's decision to the board of selectmen by giving written notice to the board within 10 days after receipt of notice of the director's decision.

(k) The board of selectmen shall hold a public hearing on the appeal no later than 30 days after receipt of said notice by the board and shall, within 14 days after a public hearing, issue an order affirming, reversing or modifying the director's decision. If an order has not been issued by the board within 14 days after hearing, the director's decision shall be deemed affirmed.

Section 17.3 STANDARDS FOR PLACEMENT OF NEWS RACKS

(a) No person shall place, cause to be placed or maintain a news rack on any public way or sidewalk:

(1) within 5 feet of any handicapped access ramp;

(2) within or overhanging any roadway;

(3) within 18 inches of, and not more than 24 inches from, any curb;

(4) within 5 feet of any curb return of any marked crosswalk;

(5) within 5 feet of any fire hydrant or fire hose connection;

(6) within 3 feet of any manhole, service gate, valve cover, sewer grate or other access panel or cover located in a public way or sidewalk;

(7) within 5 feet of any driveway;

(8) immediately adjacent to any designated loading zone, any handicapped parking space, or any zone reserved for emergency vehicles;

(9) so as to reduce the width of any sidewalk to less than 4 feet for the passage of travelers unless the width of the sidewalk is otherwise reduced to less than 4 feet, as determined by the director, in which case the news rack may be installed so as to avoid further reducing the width of the sidewalk;

(10) so as to impede egress from legally parked motor vehicles;

(11) so as to impede the operation of standard sidewalk snow plows in use by the town of winchester except where said sidewalk snow plows would be otherwise impeded, as determined by the director;

(12) within 4 feet of the door of any building measured in a line perpendicular from the horizontal line made by the door when closed;

(13) within six hundred (600) feet of any other news rack distributing the same publication;

(14) so as to create an imminent danger of harm to persons or property;

(15) directly abutting any public flower bed, memorial or sculpture;

(16) or that is attached to any town-owned tree or traffic control signal device;

(17) directly in front of and on the same side of the street as any parcel zoned solely for residential use as defined in the town of winchester zoning by-law, except at designated bus stops and MBTA railroad platforms, crossings and parking lots. This restriction shall not apply to parcels zoned for a mixed residential and business use;

(18) in a manner that violates any provision of state or federal law.

(b) News racks may be secured to one another provided that they are no more than six inches apart and provided that the news racks are aligned in a row that is parallel to the nearest curb line. Individual news racks shall be installed parallel to the nearest curb line. No group of news racks shall extend for a distance of more than eight (8) feet along a curb or wall and a space of not less than five (5) feet shall separate each group of news racks.

(c) No news rack shall be chained, bolted, or otherwise attached to any property owned or maintained by the town.

(d) News racks shall not exceed the following dimensional requirements: Height: 4 feet from the ground; Width: 2 feet; Length: 2 feet. News racks shall be placed and maintained so that they do not constitute a hazard or safety problem for travelers and others using the sidewalks and public ways. They shall be maintained in good repair and clean and safe condition and shall be removed if not so maintained or if empty of publications for more than 15 days.

(e) No news rack shall bear any advertising other than that directly relating to the printed matter dispensed by the news rack. A news rack may dispense more than one publication (printed matter) if it is published by the owner of the news rack or an affiliate thereof and the news rack may bear advertising directly related to each publication dispensed by the news rack.

Section 17.4 INSURANCE

Any distributor placing news racks on sidewalks or other public places within the town shall provide liability insurance in the amount of one million dollars ($1,000,000.00) for each occurrence for bodily injury and in the amount of five hundred thousand dollars ($500,000.00) for each occurrence for property damage naming the town as an insured. Any such distributor shall further agree to hold the town, its official bodies, other committees and their employees, agents and assigns, harmless in any suit brought against the town or any of its official bodies other committees and their employees, agents and assigns arising out of the use, operation or maintenance of the news racks. Any distributor placing news racks on sidewalks or other public places within the town shall further indemnify and hold the town, its official bodies other committees and their employees, agents and assigns, harmless from any damage caused to any news rack by virtue of the town performing snow removal or other municipal services on the town's public streets, roadways and sidewalks.

Section 17.5 VIOLATIONS

(a) No person shall place, cause to be placed or maintain a news rack upon any sidewalk or public way in the town in violation of the provisions of this by-law. In the event that a news rack is determined to be in violation of any of the provisions of this by-law,

(1) the director shall provide written and/or telephone notice to the owner or the owner's agent that the news rack is in violation of this by-law. Such notice shall state the substance of the violation and shall set a date for compliance which shall not be less than 10 business days after the date notice is given; and

(2) if the director determines that the violation has not been corrected on or after the date for compliance, the director may initiate removal proceedings in accordance with the provisions of section (b), below, and may assess a fine in accordance with provisions of section 17.6.

(b) (1) Except as provided in section 17.5(b) (3) and (4), the director may remove and store at the owner's expense any news rack that remains in violation for more than 7 days after the date for compliance specified in section 17.5(a) provided that the director shall give written notice of removal to the owner stating the date the news rack was removed, the reasons for removal, the storage location, and the procedure for claiming the machine.

(2) Except as provided in section 17.5(b) (3) and (4), the owner of any news rack may avoid removal of the news rack by:

(i) correcting the violation and so informing the director; or

(ii) by making a written request for a hearing on the violation before the director prior to the date set for compliance in which case the news rack may remain in place pending the director's decision on the matter. Said hearing shall be held no later than 10 days after receipt of a written request for a hearing and a decision shall be rendered within 10 days thereafter.

(3) Notwithstanding any other provisions of this by-law, if the director or a public safety official determines that a news rack constitutes an imminent danger of harm to persons or property, the director or a public safety official may remove the news rack provided that the owner of the news rack shall be notified of such removal and provided that the news rack shall be stored for a reasonable period of time so that the owner may retrieve it.

(4) If maintenance, repair, or construction of a public way, sidewalk or public or private property in or adjacent to the public way cannot be accomplished without the removal of a news rack, the director shall give written and/or telephone notice to the news rack's owner ordering removal of the news rack provided that said notice shall specify the reason for the removal and the date for compliance which shall not be less than 10 days after the date of notice. If the director determines that delay would cause an unreasonable risk of harm to persons or property or would cause a delay in the maintenance, repair or construction work, the director may remove the news rack, provided that the owner of the news rack shall be notified of the removal; that the news rack shall be stored for a reasonable period of time so that the owner can retrieve it, and further provided that the owner may replace the news rack when said maintenance, repair or construction is completed.

(5) The director, with the approval of the board of selectmen, is authorized to establish fees for the removal and storage of news racks that are removed at the direction of the director or public safety officials in accordance with provisions of this by-law.

(6) If a news rack remains unclaimed for more than 60 days after the news rack is removed, possession of the news rack shall be transferred to the police department and the news rack shall be disposed of as unclaimed property in accordance with law.

Section 17.6 PENALTY

In the event that a news rack is not in compliance with any of the provisions of this by-law as of the date set for compliance under section 17.5(a) of this by-law, then the owner of such news rack shall be subject to a fine of $25.00 per day for each day of non-compliance until the date the violations are corrected or the news rack is removed.

Section 17.7 SEVERABILITY

The provisions of this by-law are severable. If any provision of the by-law is held invalid, its invalidity shall not affect other provisions of this by-law which shall remain valid, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED to amend the Code of Bylaws by adding the following new Chapter:

CHAPTER 17 REGULATION OF NEWS RACKS

Section 17.1 DEFINITIONS

The following terms shall be defined, for the purposes of this by-law, as follows:

Person - Any individual, corporation, society, association, partnership, organization or other entity circulating printed matter;

Printed Matter - Any newspaper, directory, handbill, advertising matter, magazine, circular, flyer, book, pamphlet, catalogue or other publication;

News rack - Any container, box, bin, vending machine, display, stand, rack or other device used for the purpose of dispensing printed matter with or without cost to the consumer;

Director – The director of public works of the town of winchester or his designee;

Permit - Certificate of compliance issued by the director;

Public Way - The entire width between property lines of every street or highway that is open to the public for purposes of travel;

Sidewalk - That portion of a public way that is set aside for pedestrian travel;

Roadway - That portion of a public way that is intended for the use of motor vehicles;

Crosswalk Curb Return - The point at which the crosswalk pavement markings meet the sidewalk.

Section 17.2 PERMITS

(a) Any person who places a news rack or causes a news rack to be placed upon any sidewalk or public way in the town prior to the effective date of this by-law and who wishes to maintain said news rack on and after said date shall, within thirty (30) days after said date, apply for a permit from the director in accordance with the provisions of this by-law.

(b) On or after the effective date of this by-law, no person shall place a news rack or cause a news rack to be placed on a sidewalk or public way in the town, without first obtaining a permit from the director in accordance with the provisions of this by-law.

(c) The director shall provide a permit application form, which shall be completed by every person who desires to place or maintain a news rack on a public way in the town of winchester. The form shall require the applicant to provide the following information:

(1) a description sufficient to show the precise address and location of each news rack;

(2) the name, address and telephone number of the owner of each news rack and the name, address and telephone number of a person responsible for the maintenance and operation of the news rack who may be contacted in an emergency; and

(3) a certification that the specified location and the news rack comply with the provisions of this by-law.

(d) Each applicant for a permit or renewal of a permit shall prepare a single application form upon which all news racks owned by that person and located on a public way or sidewalk in the town shall be listed.

(e) Permits shall be valid for a period of one year from the date of issue and, upon application, may be renewed by the director on an annual basis.

(f) Each person granted a permit or renewal thereof under this by-law shall thereafter

give notice to the director of any change in the location of a news rack or the installation of a news rack in a location not previously listed on a permit by the submission of a quarterly amendment application to the director. Upon receipt by the director, the amendment application shall constitute an amendment to the permit subject, however, to all other applicable provisions of this by-law. The director shall specify on the permit the dates for receipt of such quarterly amendment applications provided that they occur at intervals of not less than ninety (90) days commencing on the date the permit was issued.

(g) The board of selectmen is authorized to establish reasonable fees for original permit applications, annual renewal applications and amendment applications. News racks owned by the town of winchester shall be exempt from fees.

(h) Within 14 days after receipt of an application for a permit or renewal of a permit under this by-law, the director shall either issue or renew the permit or deny the application by giving written notice and a statement of reasons to the applicant. A denial shall be based upon the failure of the applicant to satisfy the requirements set forth in this by-law.

(i) If the director has not acted on a permit application within 14 days of receipt thereof, pursuant to subsection (h), the permit will be deemed issued or renewed subject, however, to all other applicable provisions of this by-law.

(j) If the director denies an application, in whole or in part, the applicant may appeal the director's decision to the board of selectmen by giving written notice to the board within 10 days after receipt of notice of the director's decision.

(k) The board of selectmen shall hold a hearing on the appeal no later than 30 days after receipt of said notice by the board and shall, within 14 days after a hearing, issue an order affirming, reversing or modifying the director's decision. If an order has not been issued by the board within 14 days after hearing, the director's decision shall be deemed affirmed.

Section 17.3 STANDARDS FOR PLACEMENT OF NEWS RACKS

(a) No person shall place, cause to be placed or maintain a news rack on any public way or sidewalk:

(1) within 5 feet of any handicapped access ramp;

(2) within or overhanging any roadway;

(3) within 18 inches of, and not more than 24 inches from, any curb;

(4) within 5 feet of any curb return of any marked crosswalk;

(5) within 5 feet of any fire hydrant or fire hose connection;

(6) within 3 feet of any manhole, service gate, valve cover, sewer grate or other access panel or cover located in a public way or sidewalk;

(7) within 5 feet of any driveway;

(8) immediately adjacent to any designated loading zone, any handicapped parking space, or any zone reserved for emergency vehicles;

(9) so as to reduce the width of any sidewalk to less than 4 feet for the passage of travelers unless the width of the sidewalk is otherwise reduced to less than 4 feet, as determined by the director, in which case the news rack may be installed so as to avoid further reducing the width of the sidewalk;

(10) so as to impede egress from legally parked motor vehicles;

(11) so as to impede the operation of standard sidewalk snow plows in use by the town of winchester except where said sidewalk snow plows would be otherwise impeded, as determined by the director;

(12) within 4 feet of the door of any building measured in a line perpendicular from the horizontal line made by the door when closed;

(13) within six hundred (600) feet of any other news rack distributing the same publication;

(14) so as to create an imminent danger of harm to persons or property;

(15) directly abutting any public flower bed, memorial or sculpture;

(16) or that is attached to any town-owned tree or traffic control signal device;

(17) directly in front of and on the same side of the street as any parcel zoned solely for residential use as defined in the town of winchester zoning by-law, except at designated bus stops and MBTA railroad platforms, crossings and parking lots. This restriction shall not apply to parcels zoned for a mixed residential and business use;

(18) in a manner that violates any provision of state or federal law.

(b) News racks may be secured to one another provided that they are no more than six inches apart and provided that the news racks are aligned in a row that is parallel to the nearest curb line. Individual news racks shall be installed parallel to the nearest curb line. No group of news racks shall extend for a distance of more than eight (8) feet along a curb or wall and a space of not less than five (5) feet shall separate each group of news racks.

(c) No news rack shall be chained, bolted, or otherwise attached to any property owned or maintained by the town.

(d) News racks shall not exceed the following dimensional requirements: Height: 4 feet from the ground; Width: 2 feet; Length: 2 feet. News racks shall be placed and maintained so that they do not constitute a hazard or safety problem for travelers and others using the sidewalks and public ways. They shall be maintained in good repair and clean and safe condition and shall be removed if not so maintained or if empty of publications for more than 15 days.

(e) No news rack shall bear any advertising other than that directly relating to the printed matter dispensed by the news rack. A news rack may dispense more than one publication (printed matter) if it is published by the owner of the news rack or an affiliate thereof and the news rack may bear advertising directly related to each publication dispensed by the news rack.

Section 17.4 INSURANCE

Any distributor placing news racks on sidewalks or other public places within the town shall provide liability insurance in the amount of one million dollars ($1,000,000.00) for each occurrence for bodily injury and in the amount of five hundred thousand dollars ($500,000.00) for each occurrence for property damage naming the town as an insured. Any such distributor shall further agree to hold the town, its official bodies, other committees and their employees, agents and assigns, harmless in any suit brought against the town or any of its official bodies other committees and their employees, agents and assigns arising out of the use, operation or maintenance of the news racks. Any distributor placing news racks on sidewalks or other public places within the town shall further indemnify and hold the town, its official bodies other committees and their employees, agents and assigns, harmless from any damage caused to any news rack by virtue of the town performing snow removal or other municipal services on the town's public streets, roadways and sidewalks.

Section 17.5 VIOLATIONS

(a) No person shall place, cause to be placed or maintain a news rack upon any sidewalk or public way in the town in violation of the provisions of this by-law. In the event that a news rack is determined to be in violation of any of the provisions of this by-law,

(1) the director shall provide written and/or telephone notice to the owner or the owner's agent that the news rack is in violation of this by-law. Such notice shall state the substance of the violation and shall set a date for compliance which shall not be less than 10 business days after the date notice is given; and

(2) if the director determines that the violation has not been corrected on or after the date for compliance, the director may initiate removal proceedings in accordance with the provisions of section (b), below, and may assess a fine in accordance with provisions of section 17.6.

(b) (1) Except as provided in section 17.5(b) (3) and (4), the director may remove and store at the owner's expense any news rack that remains in violation for more than 7 days after the date for compliance specified in section 17.5(a) provided that the director shall give written notice of removal to the owner stating the date the news rack was removed, the reasons for removal, the storage location, and the procedure for claiming the machine.

(2) Except as provided in section 17.5(b) (3) and (4), the owner of any news rack may avoid removal of the news rack by:

(i) correcting the violation and so informing the director; or

(ii) by making a written request for a hearing on the violation before the director prior to the date set for compliance in which case the news rack may remain in place pending the director's decision on the matter. Said hearing shall be held no later than 10 days after receipt of a written request for a hearing and a decision shall be rendered within 10 days thereafter.

(3) Notwithstanding any other provisions of this by-law, if the director or a public safety official determines that a news rack constitutes an imminent danger of harm to persons or property, the director or a public safety official may remove the news rack provided that the owner of the news rack shall be notified of such removal and provided that the news rack shall be stored for a reasonable period of time so that the owner may retrieve it.

(4) If maintenance, repair, or construction of a public way, sidewalk or public or private property in or adjacent to the public way cannot be accomplished without the removal of a news rack, the director shall give written and/or telephone notice to the news rack's owner ordering removal of the news rack provided that said notice shall specify the reason for the removal and the date for compliance which shall not be less than 10 days after the date of notice. If the director determines that delay would cause an unreasonable risk of harm to persons or property or would cause a delay in the maintenance, repair or construction work, the director may remove the news rack, provided that the

owner of the news rack shall be notified of the removal; that the news rack shall be stored for a reasonable period of time so that the owner can retrieve it, and further provided that the owner may replace the news rack when said maintenance, repair or construction is completed.

(5) The director, with the approval of the board of selectmen, is authorized to establish fees for the removal and storage of news racks that are removed at the direction of the director or public safety officials in accordance with provisions of this by-law.

(6) If a news rack remains unclaimed for more than 60 days after the news rack is removed, possession of the news rack shall be transferred to the police department and the news rack shall be disposed of as unclaimed property in accordance with law.

Section 17.6 PENALTY

In the event that a news rack is not in compliance with any of the provisions of this by-law as of the date set for compliance under section 17.5(a) of this by-law, then the owner of such news rack shall be subject to a fine of $25.00 per day for each day of non-compliance until the date the violations are corrected or the news rack is removed.

Section 17.7 SEVERABILITY

The provisions of this by-law are severable. If any provision of the by-law is held invalid, its invalidity shall not affect other provisions of this by-law which shall remain valid.

Motion Carried

MOVED AND SECONDED that Article 6 be reconsidered.

The Moderator announced that in accordance with Chapter 2, Section 3.7 of the Code of By-Laws, the motion for reconsideration would be placed before the meeting as the first order of business at the next adjourned session of Town Meeting. If no adjourned session is ordered, then this pending motion would be placed before the meeting just prior to acceptance of a motion for dissolution of the meeting.

ARTICLE 12

To hear the report of the Board of Selectmen regarding the Town's flooding and drainage program, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that the Town Meeting hear the report of the Board of Selectmen on the status of flooding and drainage and place it on file.

Motion Carried

Selectman Priscilla McPhee presented the Selectmen's report on Flood Mitigation, Stormwater Management, Inflow and Infiltration and Water Quality.

ARTICLE 13

To see if the Town will vote to authorize the Board of Selectmen to obtain, by agreement or eminent domain, drainage and temporary construction easements through private property located at 107 Cross Street Winchester, MA for the construction of an additional culvert on Cross Street, Winchester, Massachusetts as shown on a plan entitled "Town of Winchester, Drainage Works Improvements, Cross Street Culvert" dated June, 2003 as such plan may be further amended and to raise and appropriate any money that may be necessary to obtain such easements and for the payment of any damages therefrom, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED that the Town obtain by agreement drainage and temporary construction and permanent easements through private property located at 105-107 Cross Street Winchester MA for the construction of an additional culvert on Cross Street, Winchester MA as shown on a plan entitled "Town of Winchester, Drainage Works Improvements, Cross Street Culvert" dated June 2003 as such plan may be further amended and authorize a sum of money not to exceed $15,000 to be transferred from Account 8830 as consideration for same.

Motion Carried

ARTICLE 14

To see if the Town will vote to appropriate $1 million, or any other sum, for making repairs to private ways in accordance with Chapter 16 of the Town's Code of By-Laws and to meet the appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow such sum, or take any other action in relation thereto.

(Board of Selectmen)

The following Town Meeting Members were appointed as Tellers and sworn to the faithful performance of their duties: David G. Leland, Stephen A. Moore, David J. Giller, and Cynthia M. Latta.

MOVED AND SECONDED to appropriate $1,000,000, to be expended under the direction of the Town Manager, for repairs to Myopia and McCall Roads in accordance with Chapter 16 of the Code of By-laws, and to meet the appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow $1,000,000 in accordance with Massachusetts General Law, Chapter 44 or any other enabling authority.

Motion Carried by Voice Vote Declared by the Moderator to be Unanimous

ARTICLE 15

To see if the Town will vote to amend the Code of By-Laws, Chapter 5, Section 6 by eliminating the requirement that the Town Treasurer "shall be a resident of the Town", or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED to amend the Code of By-Laws Chapter 5, Section 6 to delete the words "and shall be a resident of the town".

Motion Carried

ARTICLE 16

To see if the Town will vote to reduce the number of members on the Cemetery Advisory Committee from the current seven members back down to five members, such reduction to occur naturally through retirement or resignations of current members, or take any other action in relation thereto.

(Cemetery Advisory Committee)

MOVED AND SECONDED that the number of members on the Cemetery Advisory Committee be reduced from the current seven members back down to five members, such reduction to occur naturally through retirement or resignation of current members.

Motion Carried

ARTICLE 17

To see if the Town will ratify the vote of the Winchester School Committee said vote declaring excess the Sanborn House parcel of land and transferring said property to the jurisdiction of the Board of Selectmen, or take any other action in relation thereto.

(School Committee)

MOVED AND SECONDED to accept from the Winchester School Committee a certain portion of the Sanborn House property for the purposes of allowing its renovation, redevelopment and use by the Town on the terms and conditions set forth below.

AGREEMENT FOR THE RELEASE OF THE SANBORN HOUSE

Whereas, the Winchester School Committee ("School Committee") presently controls the land and buildings commonly known as the Sanborn House ("Sanborn House Property");

Whereas, the Sanborn House Property is a property of historical importance and merit and is presently in a state of disrepair requiring substantial investment;

November 17, 2003

Whereas, the Town of Winchester ("Town") has requested that the School Committee release control of the Sanborn House Property to the Town for purposes of its development by a designated non-profit agency for the general educational and civic use for the benefit of the Town's residents;

Whereas, the School Committee is willing to release a portion of the Sanborn House Property for those purposes to further its educational mission;

Whereas, the School Committee intends to insure that the use of the Sanborn House Property remains consistent with its educational objectives while at the same time affording the Town the freedom to lease and restore the property;

Now, therefore, the School Committee and the Town hereby agree as follows:

1. The School Committee, subject to the conditions set forth below, hereby releases or excesses that portion of the Sanborn House Property consisting of the main building known as the Sanborn House and the immediate grounds and drives surrounding the main building, all to be demarcated on a written plan appended hereto. (The "Released Property")

2. That portion of the Sanborn House Property not released, including but not limited to the out building commonly known as the Carriage House and the approximately 2 acres of open land shall remain under the control of the School Committee.

3. The School Committee shall retain a right of way or easement over the Released Property over a path or roadway as presently exists adjacent to High Street, to be further defined and demarcated on the written plan.

4. In the event the Town or its designees shall be unsuccessful in raising the funds necessary for the renovation and re-use of the Sanborn House within five (5) years of the date hereof, the Property released in Paragraph 1 above, shall revert to the School Committee upon its written request to the Board of Selectmen by a majority vote of the Board of Selectmen and the School Committee sitting separately. In the event that the Board and Committee do not agree, the issue shall be submitted to a majority vote of the next session of the Town Meeting. The Board of Selectmen may on its own initiative return the Property to the School Committee at any time before or after the five year period has expired.

5. The Released Property may be leased by the Board of Selectmen to a non-profit agency solely for the purposes of promoting the educational, historical and civic interests of the Town Of Winchester. The non-profit lessee may sublease a portion of the facility for the same stated purposes, subject to the approval of the Board of Selectmen. The Released Property may not be otherwise conveyed, transferred, leased for a term of more than one day or alienated in any other manner.

6. There shall be no smoking on the Released Property at any time.

7. There shall be no alcoholic beverages on the released property on any day when school is in session unless otherwise permitted by the Superintendent.

8. This Agreement represents the entire agreement of the parties and shall not be amended except by a writing duly accepted and approved by a majority vote of the School Committee and the Board of Selectmen.

Standing Vote (2/3 required for passage) YES - 114; NO – 32 Motion Carried

ARTICLE 18

To see if the Town will accept the report of the Committee on Names and vote to name the enhanced open land at the juncture of Main and Swanton Streets "The Joseph M. Bellino Park" in recognition of the contributions Joe made to the reputation of our Town through the achievements he made on athletic fields at the scholastic, collegiate, and professional level, or take any other action in relation thereto.

(Committee on Names)

MOVED AND SECONDED that the Town Meeting adopt the recommendation of the Committee on Names to name the enhanced open land at the juncture of Main Street and Swanton Street "The Joseph M. Bellino Park".

A presentation was made by Edward F. O'Connell, Chairman, Committee on Names.

Voice Vote Declared by the Moderator to be Unanimous

ARTICLE 19

To see if the Town will vote to hear and act on the report of the Personnel Board and take any action in connection with recommendations as to wages and salaries, working conditions, new or revised rates of wages and salaries, changes, additions, adjustments, or revisions of wages and salaries and in classifications and definitions, and in amending, revising, and adding to the Personnel Policy Guide as well as in other matters thereto related; and to raise and appropriate money for any adjustments or revisions of wages and salaries of employees or officers in consideration of any adjustments or revisions of wages and salaries of employees or officers not subject to collective bargaining agreements or in any job classifications, and to provide for salary or wage adjustments not otherwise provided for, said monies to be expended by the departments affected; determine in what manner the monies shall be raised by taxation or otherwise, or take any other action in relation thereto.

(Personnel Board)

Motion 1 – Moved and Seconded that $434,762 be transferred from Account #1240 - Prior Year Unallocated Salary Reserve to Account # 2211 (prior year) and that $265,567 be transferred from Account #1241 – FY04 Unallocated Salary Reserve to Fire Department Account #2211 Current Year to fund the collective bargaining agreement between the Town and The International Association of Firefighters in accordance with the Memorandum of Understanding.

Motion Carried

Motion 2 – Moved and Seconded that $185,000 be transferred from Account #1241 – FY04 Unallocated Salary Reserve to Schools Account #3110.

Motion Carried

ARTICLE 20

To see if the Town will vote to amend the FY-04 budget as appropriated by the 2003 Spring Annual Town Meeting, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that further consideration of Article 20 be indefinitely postponed.

Motion Carried

ARTICLE 21

To see if the Town will vote to create a Winchester Waterfields Resource Committee, said Committee having the purpose of obtaining for Winchester the greatest possible benefits from its various rivers, ponds, streams, lakes, and other waterways; said Committee considering and coordinating multiple Town objectives with respect to such waterways, including but not limited to flood mitigation, water supply, water quality, recreation, conservation, historic preservation, and aesthetics; said Committee having responsibility for advising Town Meeting regarding the planning and implementation of, and alternatives regarding, all flood mitigation, water supply, water quality, recreation, conservation, historic preservation, aesthetic, and related projects that pertain to Winchester waterways; said Committee providing its advice to the Town Manager, Board of Selectmen, and other appropriate Town officials so that they may continue to develop, refine, and implement plans that affect Winchester's waterways; said Committee consisting of representatives of appropriate Town Offices, Boards, and Committees, and members of the public; and said Committee soliciting input from the citizens of Winchester and communicating with them regarding plans, alternatives, and costs, or take any other action in relation thereto.

(Petition of Drew Bottaro, et. al.)

MOVED AND SECONDED that further consideration of Article 21 be indefinitely postponed.

Motion Carried

ARTICLE 22:

To see if the Town will vote to accept committee reports, dissolve old committees, authorize new committees, or take any other action in relation thereto.

(Board of Selectmen)

MOVED AND SECONDED to expand the charge of the Design Review Committee by adding the following phrase to the committee's responsibilities, as outlined in the November 4, 1991 vote of Town Meeting:

"The committee shall review and make recommendations on all sign permit applications transmitted to it by the Building Commissioner."

Motion Carried

MOVED AND SECONDED to hear and place on file the report of the Capital Planning Committee.

Motion Carried

David J. Giller, Vice Chairman of the Capital Planning Committee, presented a report.

ARTICLE 23

To see if the Town will authorize and direct the Board of Assessors to take any sum of money from available funds to reduce the tax levy for the current fiscal year, and/or transfer funds to or from the Stabilization Fund, or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that further consideration of Article 23 be indefinitely postponed.

Motion Carried

ARTICLE 24

To see if the Town will vote to take appropriate action to comply with provisions of MGL Chapter 59, Section 21c, a law known as "2 1/2 Tax Limitation", or take any other action in relation thereto.

(Town Manager)

MOVED AND SECONDED that further consideration of Article 24 be indefinitely postponed.

Motion Carried

Reconsideration of Article 6

MOVED AND SECONDED that Article 6 be reconsidered.

Standing Vote (2/3 required for passage) YES – 76; NO – 69

Motion to Reconsider Defeated

MOVED AND SECONDED that this meeting be dissolved.

November 17, 2003

Motion Carried

The meeting dissolved at 10:25 PM.

ATTEST:

Carolyn Ward, Town Clerk

Registered Voters: 13,353
Turnout: 36%
*= Incumbent
Bold= Winner

FINAL RESULTS
Town of Winchester
TOWN ELECTION
March 25, 2003

Precinct	1	2	3	4	5	6	7	8	Total
Total Votes Cast	649	412	664	708	619	617	708	469	4846
MODERATOR 1YR (1)									
Blank	181	117	163	136	183	188	195	106	1269
***JOHN J. SULLIVAN**	461	289	496	569	433	422	507	362	3539
Other	7	6	5	3	3	7	6	1	38
Total	649	412	664	708	619	617	708	469	4846
SELECTMAN 3YRS (2)									
Blank	389	259	324	358	388	427	391	279	2815
***CHARLES E. NURNBERGER**	380	266	329	358	302	270	344	335	2584
JANE A. MURRAY	252	132	289	297	264	301	309	185	2029
***KARL P. FRYZEL**	275	162	383	400	282	228	367	135	2232
Other	2	5	3	3	2	8	5	4	32
Total	1298	824	1328	1416	1238	1234	1416	938	9692
ASSESSOR 3YRS (1)									
Blank	90	76	120	100	90	78	114	53	721
*ERIC R. JOSEPHSON	263	149	267	274	206	247	277	158	1841
STEPHEN L. POWERS	294	187	274	333	323	290	317	256	2274
Other	2	0	3	1	0	2	0	2	10
Total	649	412	664	708	619	617	708	469	4846
BOARD OF HEALTH 3YRS (1)									
Blank	241	146	241	253	250	246	299	146	1822
JOSEPH W. COSTELLO	406	262	421	454	368	370	408	323	3012
Other	2	4	2	1	1	1	1	0	12
Total	649	412	664	708	619	617	708	469	4846
PLANNING BOARD 3YRS (2)									
Blank	628	428	515	580	625	643	632	421	4472
***MAUREEN I. MEISTER**	317	173	407	414	302	300	377	225	2515
***W. SAM STROUD**	350	220	404	421	306	285	404	286	2676
Other	3	3	2	1	5	6	3	6	29
Total	1298	824	1328	1416	1238	1234	1416	938	9692
SCHOOL COMMITTEE 3YRS (2)									
Blank	637	435	494	544	593	613	630	434	4380
SAMUEL P. KOUNAVES	330	186	398	431	318	320	382	253	2618
***KATHLEEN BODIE**	329	195	433	440	325	299	398	246	2665
Other	2	8	3	1	2	2	6	5	29
Total	1298	824	1328	1416	1238	1234	1416	938	9692

Registered Voters: 13,353
Turnout: 36%
*= Incumbent
Bold= Winner

FINAL RESULTS
Town of Winchester
TOWN ELECTION
March 25, 2003

Precinct	1	2	3	4	5	6	7	8	Total
LIBRARY TRUSTEE 3YRS (1)									
Blank	290	188	247	229	271	278	302	177	1982
***KEVIN J. DRUM**	357	219	415	478	344	339	404	292	2848
Other	2	5	2	1	4	0	2	0	16
Total	649	412	664	708	619	617	708	469	4846
HOUSING AUTHORITY 5 YRS (1)									
Blank	310	184	254	275	298	302	329	183	2135
***ELIZABETH S. ELLIS**	339	225	407	433	316	315	378	284	2697
Other	0	3	3	0	5	0	1	2	14
Total	649	412	664	708	619	617	708	469	4846

OVERRIDE QUESTION

"SHALL THE TOWN OF WINCHESTER BE ALLOWED TO ASSESS AN ADDITIONAL $800,000 IN REAL ESTATE AND PERSONAL PROPERTY TAXES FOR THE PURPOSE OF FUNDING ANNUAL OPERATING BUDGETS FOR SCHOOLS, POLICE, FIRE, LIBRARY, PUBLIC WORKS, AND OTHER MUNICIPAL SERVICES FOR THE FISCAL YEAR BEGINNING JULY 1, 2003?"

Blank	15	6	13	7	11	11	15	6	84
YES	249	127	374	359	259	201	319	114	2002
NO	385	279	277	342	349	405	374	349	2760
Total	649	412	664	708	619	617	708	469	4846

TOWN MEETING MEMBERS

PRECINCT 1
3 Years (8)

Blank	2633
***LINDA J. CAMLIN**	309
***RALPH JOHNSON**	305
***DAVID W. HEINOLD**	303
***THOMAS J. MCMURRY**	292
***ALLAN N. ANDERSON**	292
***MARK C. FLANNERY**	278
***SCOTT M. DAVIS**	271
***ADAM M. VANYO, SR.**	259
JINANNE S.J. ELDER	236
Other	14
Total	5192

PRECINCT 2
3 Years (8)

Blank	1728
***ROSALYN NAZZARO**	188
***JOSEPH A. NAZZARO**	183
***PAUL J. COLLINS**	177
***ELIZABETH J. CONLIN**	173
AMANDA JANE SUTPHIN	172
***KENNETH R. WEBER**	171
***DAVID S. JUDELSON**	170
CHRISTINA R. BELLOMY	165
*JAMES T. KURNICK	162
Other	7
Total	3296

PRECINCT 3
3 Years (8)

Blank	2557
***MAUREEN I. MEISTER**	343
***JOSEPH P. RANDOLPH**	333
***THOMAS R. HOWLEY**	315
***JOHN J. WILLIAMS**	306
***BENNET L. HEART**	304
***DREW J. BOTTARO**	297
LAURIE M. MINNITI	288
***ELIZABETH P. JOHNSON**	283
JOHN D. CLEMSON	282
Other	4
Total	5312

PRECINCT 4
3 Years (8)

Blank	2476
***ROBERT G. MORSE**	383
GLENN L. BURDICK	373
***STEPHEN A. MOORE**	371
***WILLIAM ANDREW LANG**	362
***SAMUEL P. KOUNAVES**	362
***KEVIN J. DRUM**	352
***JAMES P. WOODARD**	339
***BRADLEY C. ROSS**	323
*DAVID M. VOZZELLA, SR.	320
Other	3
Total	5664

PRECINCT 4
1 Year (1)

Blank	281
AILEEN BARCUS KOUNAVES	427
Other	0
Total	708

PRECINCT 5

3 Years (8)

Blank	2974
***ROBERT S. FRANK, JR.**	294
***HELEN S. PHILLIOU**	289
***JANE E. CORR**	279
WILLIAM N. MILLER	276
***V. JAMES PATALANO, II**	273
***PETER CHEIMETS**	271
***DAVID J. GILLER**	269
EDWARD J. DELANEY (WRITE	6
Other	21
Total	4952

PRECINCT 6

3 Years (8)

Blank	2625
SUSAN E. POWERS	311
***CYNTHIA M. LATTA**	291
***DALE F. DOESSCHATE**	291
***DANIEL S. AHEARN**	290
***WILLIAM L. OWENS**	288
***THOMAS J. KINTON, JR.**	286
***FRANCIS J. JACKSON**	277
***RONALD J. HUPPI**	269
Other	8
Total	4936

PRECINCT 7

3YRS (8)

Blank	2498
***PAUL C. CASEY**	407
***ALAN G. MACDONALD**	403
***LOUISE SAWYER**	365
***DAVID S. MORTENSEN**	364
MARGARET W. MCKENNA	350
JOHN S CLEARY	344
***SARAH K. DALE**	273
MICHAEL H. SCHINDELMAN	243
JOSEPH V. DEMARINIS	215
MARIA ASUNCION P. FERNANDO	199
Other	3
Total	5664

PRECINCT 8

3YRS (8)

Blank	1456
RICHARD J. WINN	301
***PAUL F. AMICO**	299
***ANGELA L. VOZZELLA**	295
***ROBERT C. FIORENZA**	283
***JOHN A. WILE**	282
***BRADFORD T. JOHNSON**	279
***MARGARET P. SCHLEICHER**	275
GERARD A. BUTLER, JR.	273
Other	9
Total	3752

PRECINCT 8

1 YR (1)

Blank	179
BRIAN L. CLARK	288
Other	2
Total	469

SEAL OF THE TOWN OF WINCHESTER MASS
WATERFIELD
1638
WINCHESTER
1850